

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF ALABAMA**  
**REGULAR SESSION**  
**OF 1987**

**HELD IN THE CITY OF MONTGOMERY,  
COMMENCING TUESDAY, APRIL 21, 1987**



**Vol. 2**

**WITH AN INDEX PREPARED BY THE  
SECRETARY OF THE SENATE**

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# CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. Legislative roster, listing names and addresses of all members of the current Legislature by district;
2. A listing of legislative days, with calendar dates and pages on which each day begins;
3. A topic index of general bills listed alphabetically by subject matter;
4. A topic index of local bills listed alphabetically by counties;
5. A topic index of resolutions;
6. A miscellaneous index, including all items not categorized as bills or resolutions;
7. A sponsor index, listing all Senate bills and resolutions alphabetically by author;
8. A Senate bill numerical index, with short titles;
9. A House bill numerical index, with short titles;
10. A Senate joint resolution, Senate resolution numerical index, with short titles;
11. House joint resolution numerical index, with short titles;
12. Act Index.



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**TWENTY-SECOND LEGISLATIVE DAY**

**THURSDAY, JUNE 25, 1987**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

**PRAYER**

The Session was opened with prayer by the Reverend Jim Lowden, Associate Pastor, Cornerstone Bible Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Karlton Stephens, Austin High School, Decatur, Alabama.

**ROLL CALL**

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hale	Preuitt
Bedford	Dial	Hilliard	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Drinkard	Horn	Smith (B)
Bishop	Ellis	Langford	Smith (J)
Cabaniss			

—32

**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for

the Twenty-First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JIM SMITH,  
Chairperson.

### COMMITTEE REPORT

On motion of Senator Smith (J), the foregoing report was concurred in and the Journal of the Senate for the Twenty-First Legislative Day was approved by the Senate.

### LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Denton, Hand, and Mitchem for today.

### RESOLUTION

Senators Manley, deGraffenried, and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 152. COMMENDING CHARLES W. GAMBLE FOR DISTINGUISHED SERVICE AS DEAN OF THE UNIVERSITY OF ALABAMA SCHOOL OF LAW.

WHEREAS, in a desire to recognize those of our citizens who have dedicated themselves to academic and professional excellence, the Alabama Legislature notes with highest commendation the service of Charles W. Gamble in his tenure as Dean of the University of Alabama School of Law; and

WHEREAS, Charles W. Gamble is a graduate of Jacksonville State University, the University of Alabama School of Law and of Harvard Law School, and is a former associate of the law firm of Lybrand, Sides and Hamner of Anniston; and

WHEREAS, Charles W. Gamble has served his profession and the field of legal education as a Professor of Law at the Cumberland School of Law of Samford University, the University of Alabama School of Law, and as a lecturer for a number of Alabama legal associations including the Alabama Bar Association; and

WHEREAS, the legal profession has further been greatly enriched by his authorship of such scholarly publications as Alabama Law of Damages and McElroy's Alabama Evidence, among others; and

WHEREAS, Charles W. Gamble has served his alma mater as Dean of the School of Law from 1982 to 1987 and, through his leadership and instrumental efforts, the school has increased its endowment from less than two million to more than seven million dollars; other significant accomplishments of his tenure include the development of three academic chairs for legal scholarship, the award of four professorships of law to the faculty and an increase in faculty by three full-time professors, in addition to a marked growth in available student scholarship funds; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding service and leadership as Dean of the University of Alabama School of Law, and in grateful acknowledgment of the honor he has brought to the University

REGULAR SESSION  
22nd Day

1285

and to the State of Alabama, we hereby commend Charles W. Gamble, whom we hold in highest regard and for whom a copy of this resolution shall be provided.

On motion of Senator Manley, the Rules were suspended and the Resolution was adopted by the Senate.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama

Dear Members of the Senate:

I herewith transmit to you a message from the Governor relative to the Alabama Credit Union Administration.

Respectfully submitted,  
JOHN E. GRENIER,  
Executive Secretary.

DONE this 19th day of June, 1987.

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama

Dear Members of the Senate:

I have reappointed, subject to your confirmation, Mr. Lawrence C. "Sparky" Williams of Montgomery, Alabama, as the Alabama Credit Union Administrator for the term expiring on February 1, 1991.

Respectfully submitted,  
GUY HUNT,  
Governor.

DONE this 19th day of June, 1987.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment as the Alabama Credit Union Administrator, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Rains, Moon, Adams, Turnham, Harvey, Bugg, Flowers, Clark (J), Willis, Zoghby, Turner, White (F), Freeman, Carter, Seibels, Holley, Bowling, Starkey, Gray, Coburn, Cosby, Grouby, and Haynes:

H. 641. To prohibit the operation of vessels with children on board unless each child is wearing a United States Coast Guard approved life preserver, and to provide for penalties.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 641—to the Committee on Agriculture, Conservation, and Forestry

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Bowling, Grouby, Turnham, White (F), Drake, Blake, Layson, White (L), Venable, Hammett, Higginbotham, Harvey, Ford, Goodwin, Bugg, Hall, Rains, Johnson (RW), Richardson, Holley, Newman, Moon, Junkins, Hettinger, Brooks, Grayson, Escott, Gray, Starkey, Wright, Petelos, Logan, Dillard, Hill, Freeman, Curry, Rogers, Turner, Gaston, Zoghby, Buskey (JE), Spratt, Johnson (RG), Haynes, Breedlove, Williams, Black, Bryant, Blakeney, Mikell, Buskey (JL), Walker, Beasley, Hooper, Reed, Faulk, and Adams:

H. 533. To reopen the Teachers' and Employees' Retirement Systems of Alabama for purchase of certain service credit and military service credit; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama; to provide that this act shall take effect October 1, 1987, and to provide for its termination on October 1, 1988.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 533—to the Committee on Finance and Taxation

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Carothers, Beasley, and Faulk:

H. 588. To amend sections 2-8-126 and 2-8-135, Code of Alabama 1975, relating to referendums authorizing an assessment of certain producers for the promotion of nuts, bulbs, fruits and vegetables; so as to authorize the

**REGULAR SESSION**  
**22nd Day**

1287

holding of intermediary referendums to alter or modify the terms of an existing assessment and to further provide for the notice of referendums.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 588—to the Committee on Agriculture, Conservation, and Forestry

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Blakeney, McMillan, Mikell, Hooper, Breedlove, Layson, Haynes, and Black:

H. 386. To provide that the punishment for second degree rape be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-62(b) accordingly; to provide that the punishment for second degree sodomy be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-64(b) accordingly; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 386—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Moon:

H. 401. To amend Section 41-16-120, Code of Alabama 1975, which section relates to sales of surplus state property by the surplus property division of the department of economic and community affairs, so as to provide for a 30 day period of payment by those legal entities named in subsection (e) which purchase surplus property, and to allow non-profit

corporations to purchase such property, provided the federal surplus property purchasing guidelines are followed.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 401—to the Committee on Governmental Affairs

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Petelos, Wright, and White (G):

H. 471. To provide for confidential communications between victims and victim counselors disclosed during the course of treatment for any emotional or psychological effects of a sexual assault or family violence.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 471—to the Committee on Health

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Faulk:

H. 584. To amend Section 2-19-131, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, providing procedures to be used when assessments are not paid to also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 584—to the Committee on Agriculture, Conservation and Forestry

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Newman, Junkins, Moon, and Carter:

H. 278. To amend Section 38-2-2 of the Code of Alabama 1975 relating to the state board of human resources so as to further provide for the election of two state employees to the board.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 278—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Poole, Johnson (RW), Melton, Frazier, and Layson:

H. 461. To amend section 17-4-156, Code of Alabama 1975, which provides for meeting days of the various boards of registrars, so as to provide further for Tuscaloosa County, effective October 1, 1987.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 461—to the Committee on State Development and Tourism

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 860. To create the office of commissioner of licenses in Clarke County; to provide for the issuance of all licenses except marriage licenses; to prescribe the powers, duties and authority of the commissioner of licenses; to provide for the election of such commissioner, his term, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to

transfer to such officer the duties and records of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed; and to provide for an advisory referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 860, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 860—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Flowers (With Notice and Proof):

H. 854. To exempt any citizen of Alabama over 65 years of age from paying an admission fee at the Pike County public fishing lake.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 854, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 858. Relating to Clarke County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the revenue commissioner, relieving the probate judge of such duties; repealing conflicting acts; and providing for an advisory referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 858, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.



**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 854 and 858—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 863. Proposing an amendment to the Constitution of Alabama of 1901, relative to the fees and compensation of the judge of probate of Clarke County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 863, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Johnson (RG) and Haynes (With Notice and Proof):

H. 871. Relating to Talladega County; authorizing and establishing a court of record in Sylacauga, Talladega County, to conduct circuit court proceedings in the branch courthouse at Sylacauga in said county and providing for a referendum on the provisions of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 871, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 863 and 871—to the Committee on Local Legislation No. 1

(The above numbered Bill, H. B. 863, was read a first time at length as required by the Constitution.)

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Flowers (With Notice and Proof):

H. 853. Relating to Pike County; levying certain additional court costs and providing that the proceeds shall be utilized for the establishment of a legislative delegation office.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 853, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Johnson (RG) and Haynes (With Notice and Proof):

H. 870. Relating to Talladega County; to exempt from all county or local ad valorem taxes all property owned and used by the Amvets of Alabama, Club Post 25.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 870, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 853 and 870—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Campbell (With Notice and Proof):

H. 711. To amend further Section 3 of Act No. 592, S. 456, Regular Session 1953 (Acts 1953, p. 838) as last amended by Act No. 85-552, H. 952, Regular Session 1985 (Acts 1985, p. 844), which provides for a civil service system for the city of Anniston in Calhoun County, so as to provide further for certain exemptions.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 711, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

REGULAR SESSION  
22nd Day

1293

Also:

By Rep. Willis (With Notice and Proof):

H. 775. To authorize Calhoun County, Alabama, to levy an annual license or privilege fee upon any business, except for practicing the religious tenets of any church, and to allow the governing body of Calhoun County, Alabama, to set the amount of any such business or privilege license fee at a rate of from ten dollars to one hundred dollars for each type or category of business in the county and promulgate all necessary or appropriate rules and regulations for the implementation and enforcement of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 775, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 711 and 775—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 859. Relating to Clarke County; providing for the creation, appointment, powers and duties of a county license inspector; providing for delinquency and citation fees, commissions and penalties allowable to such inspector; and providing that all license inspector's fees, commissions and penalties be paid into the county general fund for the use of the county; providing for the county commission to set the compensation of such officer; and providing for an advisory referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 859, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 859—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Knight and Hill (With Notice and Proof):

H. 843. To authorize the Shelby County commission to adopt, amend, and provide for the enforcement of certain building codes which shall apply in certain areas in said county; to prescribe the manner of adopting such codes; to authorize said commission to enforce such codes; to authorize the prescription and collection of certain fees necessary to effect the enforcement of such codes; and to prescribe penalties for violation of such codes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 843, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 843—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Hammett (With Notice and Proof):

H. 872. Relating to Covington County; amending Act No. 86-703, S. 17, 1986 1st Special Session, which authorizes the county commission to levy a sales tax, so as to merely alter the distribution of the proceeds from the tax and in no way affect the amount of the tax.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 872, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Carter (With Notice and Proof):

H. 877. Relating to Limestone County; authorizing the Limestone County Commission to pay for the reasonable charges of physical examinations, for prospective employees, from the county treasury.

REGULAR SESSION  
22nd Day

1295

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 877, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 872 and 877—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Harper and Fuller:

H. 708. To amend Section 4 of Act No. 86-645 1st Special Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 708—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turnham:

H. 190. To provide that any member of the teachers' or employees' retirement system of Alabama not presently covered by a provision to convert unused sick leave into membership service for purposes of service retirement may do so under the provisions of §36-26-36.1 provided that no employee of an employer participating pursuant to §36-27-6 of the Code of Alabama 1975 shall be entitled to the benefits provided in this act unless such employer elects to come under the provisions of said act.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 190—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Haynes and Johnson (RG) (With Notice and Proof):

H. 881. To provide for the filing for record and the preservation of all orders, judgments and decrees made and entered by any Judge of the Circuit Court of the 29th Judicial Circuit; to provide for retroactive effect of this act.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 881—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Haynes and Johnson (RG) (With Notice and Proof):

H. 880. To fix the fee for the issuance of pistol permits in Talladega County and provide for the deposit of such fees in a fund known as the Sheriffs Law Enforcement Fund and provide for the use of such fund and to provide that the provisions hereof shall be retroactive.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 880, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Haynes and Johnson (RG) (With Notice and Proof):

H. 882. Relating to the City of Talladega, establishing a civil service system, to provide for exempt and classified services and certain exemptions, to establish a civil service board and provide for the appointment, term, qualifications, powers, restrictions, procedure, rules and expenses of board

**REGULAR SESSION**  
**22nd Day**

1297

members, to provide for the establishment of a register, filling of vacancies, disciplinary action, complaints by private citizens, political and employee organization activities, transitional period, acts prohibited and criminal penalties.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 882, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 880 and 882—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Crow (With Notice and Proof):

H. 740. Relating to Calhoun County; to forbid the recording of deeds, plats or other documents purporting to convey to Calhoun County any right, title or interest in land unless accompanied by a resolution of the County Commission accepting the transfer.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 740, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Campbell, Willis, and Crow (With Notice and Proof):

H. 799. To levy and impose on lessors or renters of tangible personal property in Calhoun County an additional license or privilege tax based on the gross proceeds of such business of leasing or renting tangible personal property payable to the license commissioner of Calhoun County, to be deposited into the general fund of the county treasury for the use of Calhoun County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 799, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 740 and 799—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and sends same forthwith to the Senate without engrossment:

By Rep. Faulk (With Notice and Proof):

H. 850. Relating to Crenshaw County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer and providing for vacancies in said office; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Crenshaw County; and providing for the permissive power of the county commission to adopt the county unit system by passing a resolution to such effect and upon the passage of such resolution by the county commission, the chairman shall notify the secretary of state and the state highway director of the adoption of the county unit system in Crenshaw County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 850, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 850—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 861. Relating to Clarke County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation



**REGULAR SESSION**  
**22nd Day**

1299

of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector; prescribing the amount of salary and method of payment of said salary; repealing conflicting laws; providing for an advisory referendum; and prescribing the effective date of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 861, as required in the General Acts of Alabama, 1975, Act No. 919.

**JOHN W. PEMBERTON,**  
Clerk.

Also:

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 862. Relating to Clarke County; to change the method of compensating the judge of probate; to fix such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county and the salary paid from the said general fund; to make provision for a chief clerk and other personnel, quarters and supplies for the probate office; and to provide for an advisory referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 862, as required in the General Acts of Alabama, 1975, Act No. 919.

**JOHN W. PEMBERTON,**  
Clerk.

*JOHN W. PEMBERTON,*  
*Clerk.*

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 861 and 862—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Willis (With Notice and Proof):

H. 739. Relating to Calhoun County; to create a cause of action in favor of the county and affected citizens against subdividers of land who fail to construct roads which conform to minimum county standards; providing further, that this act does not require that the county accept for maintenance any road which does not meet its minimum standards.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 739, as required in the General Acts of Alabama, 1975, Act No. 919.

**JOHN W. PEMBERTON,**  
Clerk.

Also:

By Rep. Campbell (With Notice and Proof):

H. 710. Relating to Calhoun County, amending Act No. 592, S. 456, 1953 Regular Session, as amended, providing a civil service system for the City of Anniston, so as to provide further for the expense allowance for members of the board.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 710, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 739 and 710—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Layson and Breedlove:

H. 253. To establish the Timber Theft Equipment Condemnation law of the State of Alabama and to further set forth a procedure whereby vehicles and equipment used in connection with timber theft may be condemned by appropriate authorities and, after notice has been given to creditors having a secured interest, judgment, lien or other interest in such vehicles and equipment, the same may be sold or awarded by court order to the State Forester for use or resale in enforcement of felony theft laws of the State of Alabama wherein timber or lumber are the stolen items.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 253—to the Committee on Agriculture, Conservation, and Forestry

### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 155. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Registration for Professional Engineers and

REGULAR SESSION  
22nd Day

1301

Land Surveyors as provided in Section 34-11-30, specifically, and Sections 34-11-1 through 34-11-37, generally, of the Code of Alabama 1975; with certain modifications; to amend Sections 34-11-11 and 34-11-13, so as to provide further for the disciplinary actions of the board and to provide further for the civil appeal procedure for actions of the board.

said Governor's Message being in words and figures as follows, to-wit:

**MESSAGE FROM THE GOVERNOR**

To The House of Representatives of Alabama  
Alabama State House  
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Bill No. 155, without the Governor's signature and with a suggested Executive Amendment.

Respectfully submitted,  
JOHN E. GRENIER,  
Executive Secretary.

DONE this 4th day of June, 1987.

To The House of Representatives of Alabama  
Alabama State House  
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 155, without my signature, but with the following suggested Executive Amendment which would make this Bill acceptable to me.

**EXECUTIVE AMENDMENT TO HOUSE BILL NO. 155:**

On page 3, line 7, delete the following language:

~~in this state~~

The adoption of the above suggested amendment will remove my objections to the bill.

Respectfully,  
GUY HUNT,  
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 155, by a vote of a majority of those voting, said vote being:

Yeas 49, Nays 0.

And said Bill, H. B. 155, together with the Executive amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE AND GOVERNOR'S MESSAGE**

Senator deGraffenried moved that the Senate concur in and adopt the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 155, the title of which and said Executive amendment are set out in the foregoing Message from the House.

On motion of Senator Rice, further consideration of the Executive amendment to the Bill, H. B. 155, was postponed temporarily.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 535. To amend Section 6-5-481 of the Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act so as to provide further for the definition of the terms "Other Health Care Providers" and "Professional Corporation."

said Conference Report being in words and figures as follows:

**REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL 535**

The Committee of Conferees appointed to reconcile the difference between the two Houses concerning House Bill 535 have met, considered the matter, and agreed to the following:

Substitute for H. B. 535 is attached.

RICHARD MANLEY,  
E. C. FOSHEE,  
JIM PREUITT,

Conferees of the Senate.

JIMMY W. HOLLEY,  
MARY S. ZOGHBY,  
AL KNIGHT,

Conferees of the House.

**CONFERENCE COMMITTEE SUBSTITUTE FOR H. 535**

SYNOPSIS: This bill amends Section 6-5-481, Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act, so as to provide further for the definition of such terms.

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Section 6-5-481, Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act, so as to provide further for the definition of the terms "Other Health Care Provider" and "Professional

REGULAR SESSION  
22nd Day

1303

Corporation"; to provide for the repeal of inconsistent laws or parts of laws; and to provide the manner in which this bill becomes law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 6-5-481, Code of Alabama 1975, is hereby amended to read as follows:

"§ 6-5-481.

"For the purposes of this article, the following terms shall have the meanings respectively ascribed to them by this section:

"(1) **MEDICAL PRACTITIONER.** Anyone licensed to practice medicine or osteopathy in the state of Alabama, engaged in such practice, including medical professional corporations, associations and partnerships.

"(2) **DENTAL PRACTITIONER.** Anyone licensed to practice dentistry in the state of Alabama, engaged in such practice, including professional dental corporations, associations and partnerships.

"(3) **MEDICAL INSTITUTION.** Any licensed hospital, or any physician's, ~~or~~ dentist's or other health care provider's office or clinic containing facilities for the examination, diagnosis, treatment or care of human illnesses.

"(4) **PROFESSIONAL CORPORATION.** Any medical, ~~or~~ dental or other health care provider's professional corporation or ~~any medical or dental~~ professional association.

"(5) **PHYSICIAN.** Any person licensed to practice medicine in Alabama.

"(6) **DENTIST.** Any person licensed to practice dentistry in Alabama.

"(7) **HOSPITAL.** Such institutions as are defined in section 22-21-21 as hospitals.

"(8) **OTHER HEALTH CARE PROVIDERS.** Any professional corporation or professional association, chiropractor, optometrist, pharmacist, licensed psychologist, physical therapist, podiatrist or licensed nurse, or any person employed by a physicians, dentists, chiropractor, optometrist, pharmacist, licensed psychologist, physical therapist, podiatrist, licensed nurse, ~~or hospitals or professional corporation or professional association who are~~ directly involved in the delivery of health care services.

"(9) **MEDICAL LIABILITY.** A finding by a judge, jury or arbitration panel that a physician, dentist, medical institution or other health care provider did not meet the applicable standard of care, and that such failure was the proximate cause of the injury complained of, resulting in damage to the patient."

Section 2. It is the intent of the Legislature that nothing in this act shall affect or amend any law other than the Alabama Medical Liability Acts of 1975 and 1987. Nothing in this act shall be construed to enlarge or expand the scope of practice of any of the entities or groups named in this act.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said Bill, H. B. 535, as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, H. B. 535, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE AND CONFERENCE MESSAGE

Senator Foshee moved that the Senate concur in and adopt the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 535, the title of which and said Conference Report are set out in the foregoing Message from the House.

Senator Amari offered a substitute motion that the Senate non-concur in the Report of the Committee on Conference.

### REPORTS OF COMMITTEES

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Rice and Parsons:

S. 374. Requiring an additional license fee for licensure as a general contractor; and providing that the revenue derived from such additional fee shall be distributed to institutions of higher education offering approved courses in building science.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Drinkard, Horn, Hilliard, Foshee, and Amari (With Amendment):

S. 314. To provide that the annual state salary payable to circuit clerks and registers, effective January 16, 1989, shall be \$45,000.00 and to provide that such increase shall in no event cause a register's state salary to exceed \$45,000.00.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Langford and Dixon:

S. 471. To create an additional judgeship for the fifteenth judicial circuit in Alabama; to provide for the election of such judge and to designate that such additional judge shall serve as a judge of the family relations division of the circuit; to prescribe the jurisdiction, powers, qualifications, duties and compensation of such judge; and to amend Section 12-17-20 of the Code of Alabama 1975, so as to provide for such judge.

By Senators Mitchem, Menton, Barron, and Rice:

S. 589. To amend portions of Section 24-1A-1 of the Code of Alabama 1975, relating to the Legislative findings and declaration of purpose underlying

Chapter 1A of Title 24 of the Code of Alabama 1975; and to amend the definition of "eligible housing unit" appearing in Section 24-1A-2(5) of the Code of Alabama 1975; to provide that eligible housing units may include multi-family dwelling units for occupancy by persons and families without restriction as to their income, other than applicable federal restrictions.

By Rep. Adams:

H. 541. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$6,000,000 in aggregate principal amount.

By Rep. Adams:

H. 542. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$6,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including (a) the power to make grants from the proceeds of the said additional bonds to counties, municipalities and local industrial development boards, economic development councils and airport authorities, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide for the execution, form and terms of such bonds and for the terms of sale thereof; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Sections 40-25-2 and 40-25-23, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the state treasurer shall be the custodian of the funds of the Authority.

By Senators Bedford and Bennett:

S. 558. To levy a per ton tax on all hazardous waste received by any operator of any commercial hazardous waste disposal site in this state; to distribute the proceeds of said tax to a special undercover drug law enforcement fund; to prescribe guidelines for expenditures from such special fund; to provide for annual audits of such special fund by the examiners of public accounts; to provide for the collection of said tax and for monthly reports by operators of commercial hazardous waste disposal sites; to authorize the state revenue commissioner to assess taxes with penalties when an operator fails to report; to provide definitions; and to provide for penalties for failure to comply with the provisions hereof.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Cabaniss, Hand, Smith (B), Dixon, and Ellis (With Amendment):

S. 124. To amend §40-2-10, Code of Alabama 1975, to remove the limitation of police powers granted to revenue department agents and to provide for participation by special agents of the Department of Revenue with other law enforcement agencies investigating illegal drug transactions and other criminal activities for the purpose of ascertaining and prosecuting violations of the state's tax laws, and to collect any tax due.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Corbett:

S. 175. To amend Section 38-2-2 of the Code of Alabama 1975 relating to the state board of human resources so as to further provide for the election of two state employees to the board.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Dial (With Substitute):

S. 226. Authorizing and empowering the state purchasing agent to purchase certain articles and products from prison industries in other states for resale by this state's prison industry to political subdivisions of this state.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Langford:

S. 288. To authorize and provide the procedure for employees of certain counties, cities and towns to be covered under the state employees' health insurance plan; to provide for the payment of the premiums for employees and their dependents; to provide for the termination of coverage under this act; and to require the state employees' insurance board to promulgate rules and regulations as may be required for the effective administration of the provisions of this act.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable



REGULAR SESSION  
22nd Day

1307

report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Dial, Manley, Bedsole, Foshee, and Barron (With Substitute):

S. 424. To amend section 32-6-272, Code of Alabama 1975, relating to the issuance of license plates to fire fighters, so as to authorize the issuance of said plates at no cost to the recipient.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Rice:

S. 512. Relating to county or municipal or district water, sewer, or fire protection authorities incorporated pursuant to Chapters 88 or 89, Title 11, Code of Alabama 1975, which chapters provide for the process of creating such entities, so as to allow any such authority to contract with any other authority for the collection by either authority of any charges, fees, penalties, or other monetary sum due or to be due from a user or customer of the service or services of either authority; authorizing certain contractual provisions for the collecting authority relating to the imposition of charges, sanctions and penalties of either contracting authority imposed for nonpayment.

By Senator Bedsole:

S. 559. To amend Section 11-81-19, Code of Alabama 1975, relating to the investment of sinking funds for the retirement of municipal and county bonds, so as to authorize further obligations in which sinking funds may be invested.

Senator Foshee, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Hand, Dial, Cabaniss, Dixon, and Bedsole:

S. 195. To provide that no public employee or public employee organization shall participate in a strike against a public employer and to provide penalties for violation.

Senator Dial, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee (With Substitute):

S. 346. Providing that representation of utility consumers and agencies of the state government shall be the responsibility of the office of the Attorney General and transfers funds to the office of the Attorney General to enable such representation, amending Sections 37-1-16, 37-1-18 and 37-1-64, Code of Alabama (1975), as amended.

Senator Dial, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had

acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Bennett (With Amendment):

S. 463. To insure the safety of presently existing and future dams and reservoirs in this state; to authorize the Alabama Emergency Management Agency to conduct safety inspections of certain dams in this state and to provide for the issuance of certificates of approval for the construction of new dams; to grant additional powers and authority to the Director of the Alabama Emergency Management Agency; to provide for appeals from final determination by the Director; to place certain restrictions upon the regulation or supervision of any dams or reservoirs by any individual or any county or municipal governing body; and to prescribe criminal and civil penalties.

Senator Dial, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Hettinger:

H. 225. To amend the Alabama Hazardous Waste Management Act of 1978, as amended, to clarify that the Alabama Department of Environmental Management ("the Department") administers the hazardous waste management program, to correct certain errors, to clarify certain authorities and to enact certain changes made to the federal Resource Conservation and Recovery Act of 1976 ("RCRA"), as amended, which changes are necessary to receive authorization to operate certain portions of the hazardous waste management program in lieu of the federal program and to repeal Code of Alabama 1975, §22-30-13 the provisions of which are made a part of §22-30-14 and Code of Alabama 1975, §22-30-8. This bill clarifies the intent of the act; clarifies the authority of the Department to list certain wastes as hazardous wastes, clarifies permitting procedures, clarifies the responsibilities of generators, transporters and owners and operators of treatment, storage and disposal facilities; corrects wording errors; and eliminates unnecessary provisions.

By Reps. Faulk, Carothers, Johnson (RG), Beasley, White (L), Payne, and Warren:

H. 273. To amend section 11-50-1.1, Code of Alabama 1975, which prohibits municipalities from acquiring or duplicating services of certain waterworks systems, so as to also prohibit public corporations or entities created or operating pursuant to sections 11-50-230 through 11-50-241, Code of Alabama 1975, specifically, and chapter 50 of Title 11, Code of Alabama 1975, generally, from so acquiring or duplicating such services.

By Rep. Hettinger:

H. 526. To authorize the Alabama Department of Environmental Management to promulgate rules and regulations governing underground storage tanks and to authorize the Department to seek approval from the United States Environmental Protection Agency to operate the underground storage tank regulatory program in Alabama in lieu of Federal regulation. This bill also authorizes the Department to establish a State program to protect

wellhead areas of public water supply systems from contaminants which may have an adverse effect on the health of persons.

By Rep. Holley:

H. 635. To amend §40-12-262, Code of Alabama 1975, relating to trip permits; and to require cab cards of international registration plan vehicles be present in the vehicle; to provide for temporary trip permits; to provide penalties for violations of this section.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis (With Notice and Proof):

S. 582. Relating to Shelby County; to provide that persons living in certain areas of said county, upon receipt of written notice as provided herein, must maintain their dogs on leashes or in pens; and to prescribe fees for violations of this act.

By Senator Ellis (With Notice and Proof):

S. 583. Relating to Shelby County, prohibiting annexation by out of county municipalities without a vote of the people of Shelby County.

By Senator Langford (With Notice and Proof):

S. 606. Relating to Montgomery County; providing further for the compensation of the judge of probate.

By Senator Ellis (With Notice and Proof):

S. 609. Relating to Shelby County, prohibiting annexation by out of county municipalities without a vote of the people of Shelby County.

By Senator Bishop (With Notice and Proof):

S. 611. To provide in Walker County for the incorporation of the Walker County Industrial Port Authority to own and operate the docks in Cordova; to provide for the management of said Authority by a board of directors; to provide for the appointment and term of office for such board of directors; to prescribe the powers and duties of the Authority; and to provide that this act shall take effect upon the conveyance of the state docks in Cordova to the Walker County Commission as authorized by Amendment No. 454 to the Constitution of Alabama of 1901.

By Rep. Beasley (With Notice and Proof):

H. 582. To alter, re-arrange and extend the boundaries of the Town of Kinsey, in Houston County, Alabama.

By Reps. Carothers, Beasley, and Mathis (With Notice and Proof):

H. 609. Relating to Houston County; providing a certain monthly expense allowance for the members and chairman of the county commission which shall be in lieu of all expense allowances heretofore provided by law for such members.

By Rep. Hammett (With Notice and Proof):

H. 810. To provide that the judge of probate of Covington County shall be compensated on a salary basis; to provide for the operation of his office after he is on a salary basis; to require the judge of probate to continue to collect the fees prescribed by law and to pay such fees into the county treasury from which his salary will be paid.

By Rep. Hammett (With Notice and Proof):

H. 811. Relating to Covington County; providing for an advisory referendum relative to whether the county should be placed on a unit system of public road and bridge maintenance by a county engineer.

By Rep. Hammett:

H. 812. To propose an amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate and other county officers of Covington County.

The above Bill was read a second time at length as required by the Constitution.

Senator Bailey, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Langford:

S. 605. Authorizing state supported institutions of higher learning to condemn lands needed for their educational purposes and providing that this act shall have certain supplemental effect.

By Rep. Higginbotham:

H. 74. To define certain school records as "governmental records" and to include school systems and certain institutions in the definition of government so as to make it illegal to knowingly falsify certain school records.

By Senators Dial, deGraffenried, and Hand:

S. 572. To establish the Alabama Athlete Agents Regulatory Commission; to provide for membership, terms, and duties to require agents for athletes to register and be licensed in this state; to provide for revocation of registration; to provide for filing and registration fees; to require agents to post surety bonds; to provide for disposition of the proceeds from registrations and fines; to provide for the contents and approval of contracts; to prohibit certain activities; to provide further for actions against agents; to provide for an appellate procedure from decisions of the commission; to provide for a procedure for arbitration; and to provide for penalties for violations.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Dillard (With Notice and Proof):

H. 583. Relating to Lawrence County; to provide that any municipality whose corporate limits or boundaries include lands lying outside of Lawrence

County, must, in addition to all other requirements of law, obtain the consent of the Lawrence County Commission before annexation of lands lying in Lawrence County.

By Reps. Fuller and Laird (With Notice and Proof):

H. 700. To propose a constitutional amendment for Chambers County establishing a Fire and Rescue Fund, assessing court charges from certain criminal offenders to fund said Fire and Rescue Fund, distributing the money in said fund and granting certain powers to the county commission and the legislature.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Fuller and Laird (With Notice and Proof):

H. 701. Relating to Chambers County; to amend Sections 1 and 2 of Act No. 1180, H. 2226, Regular Session 1971 (Acts 1971, p. 2040), relating to the issuance of pistol permits by the sheriff, so as to increase the issuance fee for pistol permits and to provide further for the disposition of such fees.

By Reps. Fuller and Laird (With Notice and Proof):

H. 741. Relating to Chambers County; to create a license-issuing division within the judge of probate's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

By Rep. Black (With Notice and Proof):

H. 786. Relating to Sumter County; amending Section 2 of Act No. 83-480, H. 669, 1983 Regular Session (Acts 1983, p. 672), relating to levying a fee on all hazardous and nonhazardous waste deposited, or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama, so as to provide that the fee levied shall include all hazardous and nonhazardous material that is treated or buried permanently at site or that remains at the site for a reasonable length of time, and to specifically repeal Section 8 of Act No. 83-480, H. 669, 1983 Regular Session (Acts 1983, p. 672), relating to referendum.

By Rep. Black (With Notice and Proof):

H. 787. Relating to Sumter County; to give the county commission certain powers in regard to constructing and maintaining roads and rights-of-way leading to private dwellings.

By Rep. Lindsey (With Notice and Proof):

H. 827. Relating to Cherokee County; providing for the chairman of the county commission; repealing Act No. 273, S. 349, Regular Session 1943 (Local Acts, 1943), which provides for the president of such commission, so as to replace such office and duties with the judge of probate who shall be the chairman; providing that the duties and the compensation of such chairman shall be as provided by general law; providing for advisory referendum, and for interim vacancy in office of chairman.

By Rep. Lindsey (With Notice and Proof):

H. 828. Relating to Cherokee County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Cherokee County; repealing conflicting laws; and prescribing the effective date of this act.

By Rep. Lindsey (With Notice and Proof):

H. 829. Relating to Cherokee County; to fix the fee for the issuance of pistol permits in Cherokee County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

By Rep. Black (With Notice and Proof):

H. 846. Relating to Greene County; to give the county commission certain powers in regard to constructing and maintaining roads and rights-of-way leading to private dwellings.

By Rep. Black (With Notice and Proof):

H. 847. Relating to Greene County; to fix the fee for the issuance of pistol permits in Greene County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that the following bill has been placed on the Consent Calendar for today, to-wit:

By Rep. Higginbotham:

H. 73. To amend Section 6-5-332, Code of Alabama, 1975, relating to rendering first aid or emergency care at the scene of an accident so as to include education employees.

#### **FURTHER CONSIDERATION OF CONFERENCE REPORT FOR H. B. 535**

The Senate proceeded to further consideration of the Conference Report for the Bill, H. B. 535. The question was on the substitute motion by Senator Amari that the Senate non-concur in the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment.

On motion of Senator Amari, further consideration of the Report of the Committee on Conference was postponed temporarily.

#### **INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Corbett:

S. 622. To amend Section 9-8-22, Code of Alabama 1975, which establishes the state soil and water conservation committee, so as to provide

REGULAR SESSION  
22nd Day

1313

that the clerks of the committee shall be unclassified employees under the state merit system.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Langford:

S. 623. To exempt the "Alabama State Association of Elks IBPOE of W," from the payment of all state, county and municipal sales and use taxes.

Committee on Finance and Taxation.

By Senator Manley:

S. 624. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1985 Second Special Session and the 1986 Regular Session of the Legislature, as contained in the 1986 Cumulative Supplement to certain volumes of the Code and in the 1986 replacement volumes 11, 15 and 16 of the Code, and to make certain corrections in Volume 21 of such cumulative supplement; and to adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1986 First Special Session of the Legislature, as contained in the 1987 Interim Supplement to the Code of Alabama 1975, and to make a certain correction in such interim supplement.

Committee on Governmental Affairs.

By Senator deGraffenried:

S. 625. Relating to the Alabama Administrative Procedure Act; to amend §41-22-2, Code of Alabama 1975, as amended, to eliminate any exemption of the department of insurance of the state of Alabama from the provisions of the Alabama Administrative Procedure Act; to amend §41-22-20, Code of Alabama 1975, as amended, to provide that the state department of revenue, when it is the aggrieved party of an adverse final decision in a contested case, shall have the same entitlement to judicial review which is granted persons.

Committee on Judiciary.

By Senators Dial, Rice, Bedsole, Hand, and Cabaniss:

S. 626. To amend Section 16-22-6, Code of Alabama 1975, to provide for policies related to salary deductions, and purposes for which deductions may be made.

Committee on Education.

By Senator Menton (With Notice and Proof):

S. 627. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 627, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Ellis:

S. 628. To repeal Sections 9-11-46 and 9-11-47, Code of Alabama 1975, which provide for annual nonresident hunting licenses and amends Sections 9-11-45, 9-11-48 and 9-11-49, Code of Alabama 1975, so as to delete references to the repealed sections.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Cabaniss and Bennett (With Notice and Proof):

S. 629. Relating to Jefferson County; providing that the county commission or other like governing body of such county shall have the power to levy and collect additional excise taxes, alcoholic beverage taxes, sales and use taxes and privilege license taxes on any business, vocation, occupation, calling or profession; providing that any such tax levied by said governing body shall become law either with or without a referendum in the sole discretion of said governing body; providing for the disposition of the proceeds of such taxes; and repealing conflicting laws.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 629, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Cabaniss, Bennett, and Dixon:

S. 630. To amend Sections 17-4-129 and 17-4-130, Code of Alabama 1975, relating to lists of registered voters so as to provide further for the publication of such lists.

Committee on Governmental Affairs.

By Senator Bedford:

S. 631. To amend Section 34-23-8 of the Code of Alabama (1975), to allow licensed pharmacists to substitute a less expensive pharmaceutically and therapeutically equivalent drug product for prescriptions reimbursable under the Alabama medicaid program unless the practitioner prescribing the drug specifies that the brand name product prescribed is medically necessary.

Committee on Health.

By Senator Dial:

S. 632. Relating to health care authorities organized or reincorporated pursuant to the provisions of Act No. 82-418 enacted at the 1982 Regular Session of the Legislature (article 11 of chapter 21 of Title 22 of the Code of Alabama 1975, as amended); to make certain findings with respect to such health care authorities; to grant to any such health care authority the limited power to amend its certificate of incorporation or certificate of



reincorporation (without the necessity of any approvals or consents, other than that of its board of directors, that would otherwise be required) so as to provide that any of the members of its board of directors required to be elected or appointed by the governing body of any county or municipality that authorized the organization or reincorporation of such health care authority shall be elected only from a list of nominees (not less than three in number) proposed by its board of directors; to grant to any such health care authority the additional power to issue (and provide security for) bonds, notes, and other obligations and securities that are not limited as to source of payment and that are general obligations of such health care authority; to make further provision with respect to the furnishing by a health care authority of office space to nonhospital-based physicians, dentists or other health care professionals; to provide further for the appointment, employment and compensation of certified public accountants by a health care authority; to provide that a health care authority may, in furtherance of the furnishing of cost-effective health care, determine to have the books and records of such health care authority for any fiscal year or years audited or examined by only one certified public accountant or accountants, or firm thereof, and that in such event no other audit or examination of such books and records by any other person or agency shall be required; to provide that if any such audit or examination of the books and records of a health care authority has been made with respect to any fiscal year or years of such health care authority beginning prior to the effective date of this act, or such health care authority at any time employs any certified public accountants or firm thereof to make such an audit or examination, then no other such audit or examination shall be required; to provide that no person or agency, other than any certified public accountants or firm thereof engaged to audit the books and records of a health care authority, shall be permitted access to such books or records, for audit or other similar purposes, without the prior consent of such health care authority; to provide for notification of the board of directors of a health care authority and appropriate law enforcement agencies if the certified public accountants or firm thereof making any such audit or examination discovers any act or activity that constitutes fraud or other criminal offense and so advises any director, officer or employee of such health care authority; and to provide further for investments of proceeds from the sale of securities and other moneys of a health care authority.

Committee on Health.

By Senator Sanders (With Notice and Proof):

S. 633. Relating to Greene County; authorizing the Greene County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 633, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders (With Notice and Proof):

S. 634. Relating to Greene County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide

for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 634, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders (With Notice and Proof):

S. 635. Relating to Greene County; to provide for the levying of excise and privilege taxes in Greene County on the severing of timber and the processing or manufacturing of forest products, upon every person engaged in any such business; to provide that such taxes paralleling the state forest products privilege and severance taxes shall be collected by the Alabama department of revenue; to provide for the collection, payment, enforcement and administration of such taxes; to provide for the use of the proceeds of such taxes; to provide for the imposition of interest and civil penalties; and to provide for exemptions.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 635, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Goodwin, Bennett, and Bedford:

S. 636. To prohibit any person who first votes in the primary election of one party from crossing-over and voting in the subsequent run-off or primary election of another party; to prescribe the manner of handling and maintaining ballots in a primary election in order to enforce the prohibition on cross-over voting; to prescribe misdemeanor penalties for violations of this act; to preserve the rights of the political party to determine qualifications for membership.

Committee on State Development and Tourism.

By Senator Sanders (With Notice and Proof):

S. 637. Relating to Greene County; providing revenue by imposing an excise tax, payable by manufacturers, bottlers, distributors or importers of bottled carbonated soft drinks, used, sold, transported or delivered within said county; prescribing the method and manner of the payment and collection of such tax or assessing the tax; providing for distribution of the tax; conferring powers and imposing duties on the department of revenue and those manufacturing, bottling, distributing, selling and transporting bottled carbonated soft drinks; and providing for penalties.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 637, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

REGULAR SESSION  
22nd Day

1317

By Senator Sanders (With Notice and Proof):

S. 638. Relating to Greene County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Greene County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Greene County Commission for the collection of said taxes.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 638, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hilliard:

S. 639. To provide additional funding for domestic violence shelters by amending Sections 30-6-6 and 30-6-11 Code of Alabama 1975, as last amended, to delete the limitation on the maximum available to each domestic violence facility, and re-designate the following subsection as subsection (e); to increase the additional fee for marriage licenses provided for therein by \$10.00, from \$5.00 to \$15.00; and to remove language in Section 30-6-11 which refers to a time period which has already passed.

Committee on Finance and Taxation.

By Senator Sanders:

S. 640. To abolish the death penalty in this state and to provide that life imprisonment without parole shall be the maximum punishment for any felonious offense; to repeal all references to the death sentence in Sections 13A-5-39 through 13A-5-59 of the Code of Alabama 1975 which are the Alabama death penalty statutes and to provide that any pending death sentences on the effective date of this act shall be commuted to life imprisonment without parole.

Committee on Judiciary.

By Senators Horn and Hilliard:

S. 641. To make an appropriation from the State General Fund for the fiscal year 1987-88 for the use of a sickle cell education program.

Committee on Finance and Taxation.

By Senators Horn and Hilliard:

S. 642. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Sickle Cell Association for the fiscal year 1987-88, for use of a sickle cell education program.

Committee on Finance and Taxation.

By Senator Hale:

S. 643. To repeal Sections 16-5-1 through 16-5-14, Code of Alabama 1975, which provide for the Alabama Commission on Higher Education.

Committee on Education.

By Senators Amari, Parsons, Bennett, Hilliard, Cabaniss, and Horn:

S. 644. To appropriate \$400,000 from the Alabama Special Educational Trust Fund to Children's Hospital in Birmingham, Alabama, for support and maintenance for the fiscal year ending September 30, 1988.

Committee on Finance and Taxation.

By Senator Horn:

S. 645. To make an appropriation from the Alabama Special Educational Trust Fund to the Opportunities Industrialization Center, Central Alabama, for the fiscal year 1987-88.

Committee on Finance and Taxation.

By Senator Horn:

S. 646. To make an appropriation from the Alabama Special Educational Trust Fund to the Lighthouse Counseling Center, Inc., for the fiscal year 1987-88.

Committee on Finance and Taxation.

By Senator Horn:

S. 647. To make an appropriation from the Alabama Special Educational Trust Fund to the Davis Theater for the fiscal year 1987-88.

Committee on Finance and Taxation.

By Senator Horn:

S. 648. To make an appropriation from the Alabama Special Educational Trust Fund to the Black Belt Human Resource Development Center for the fiscal year 1987-88.

Committee on Finance and Taxation.

By Senator Horn:

S. 649. To make an appropriation from the Alabama Special Educational Trust Fund to the American Legion and Auxiliary Scholarships for the fiscal year 1987-88.

Committee on Finance and Taxation.

By Senator Horn:

S. 650. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1987-88.

Committee on Finance and Taxation.

**REGULAR SESSION  
22nd Day**

1319

By Senator Horn:

S. 651. To make an appropriation from the Alabama Special Educational Trust Fund to the Coalition Against Domestic Violence for the fiscal year 1987-88.

Committee on Finance and Taxation.

By Senator Horn:

S. 652. To make an appropriation from the Alabama Special Educational Trust Fund to the DAR School, Kate Duncan Smith for the fiscal year 1987-88.

Committee on Finance and Taxation.

**MOTION IN WRITING**

Senator Dixon requested and received permission to offer the following Motion in Writing, at the request of Senator Hand, to-wit:

I move that the Bill, S. B. 264, on page 81 of the 22nd Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 264, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**NOTICE IN WRITING**

Senator Dixon offered the following Notice in Writing, to-wit:

**NOTICE IN WRITING**

Notice is hereby given that on the next legislative day a motion will be made to amend the Senate Rules as follows:

Add the following rule as Rule 41 (a)

"RULE 41 (a) Senators shall particularly forbear personal reflections, and no Senator shall name another or make personal remarks in argument or debate."

Which was read and ordered filed with the Secretary.

**UNFINISHED BUSINESS**

**BUDGET ISOLATION RESOLUTION**

The Senate proceeded to further consideration of the Unfinished Business for today, which was the B. I. R., S. B. 162.

Senator Dixon, B. I. R., S. B. 162, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Cabaniss	Ellis	Langford
Amari	Campbell	Figures	Manley
Bedford	deGraffenried	Goodwin	Rice
Bennett	Dial	Hale	Sanders
Bishop	Dixon		

—17

*Nay:* Senator Parsons

—1

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 284. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from seven qualified candidates unless the appointing authority shall request the three ranking eligibles only.

Also:

S. 354. Relating to Clay County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, abolishing the offices of tax assessor and tax collector, repealing conflicting laws; and providing for a referendum thereon.

JIM SMITH,  
Chairperson.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 396. To amend Sections 40-23-61 and 40-23-63, Code of Alabama 1975, to provide that any overcollection of use tax by a retailer from the customer is to be paid over to the state and not retained by the retailer as a windfall to enhance the net profits of the business.

Also:

S. 397. To amend Sections 40-23-2 and 40-23-37, Code of Alabama 1975, to provide that any overcollection of sales tax by a retailer from the customer is paid over to the state and not retained by the retailer as a windfall to enhance the net profits of the business.

JIM SMITH,  
Chairperson.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 709. Relating to Conecuh County; to authorize the Conecuh County Commission to impose excise taxes on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county not to exceed two (2) cents per gallon; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Conecuh County Commission to make reasonable rules and regulations for the collection of such taxes; to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Conecuh County Commission for the collection of said taxes; and to provide for an advisory referendum relative to the levying of such taxes and the effectiveness.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 345. COMMENDING ARTHUR A. HOLK OF FOLEY, ALABAMA, FOR OUTSTANDING ACHIEVEMENT, AND FOR SERVICE TO THE CITY OF FOLEY, BALDWIN COUNTY AND THE STATE OF ALABAMA.

Also:

H. J. R. 347. RECOGNIZING WITH COMMENDATION THE CENTENNIAL OBSERVANCE OF PARKER MEMORIAL BAPTIST CHURCH, ANNISTON, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### BILLS ON THIRD READING RESUMED

THE BILL:

S. 162. To further provide for the enforcement of the controlled substances laws in the dental profession and related occupations; to further

provide for the investigative powers of the board of dental examiners relating to drug or controlled substances violations; to amend Section 34-9-43, Code of Alabama 1975, as amended, relating to the general powers and duties, so as to provide that the board's investigators shall have the powers of peace officers and arrest relative to the enforcement of the drug and controlled substances laws; to further amend Sections 20-2-90 and 20-2-91, Code of Alabama 1975, as amended, relating to the enforcement of such laws and the inspections of prescriptions, orders, and records therefor, so as to authorize the investigators of the board of dental examiners to execute such powers to effectively investigate drug or controlled substances violations.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 1.

Yeas:

Senators:	Cabaniss	Ellis	Manley	
Bailey	Campbell	Foshee	Menton	
Barron	Covington	Goodwin	Preuitt	
Bedsole	deGraffenried	Horn	Rice	
Bennett	Dial	Langford	Smith (B)	
Bishop	Dixon			—21

Nay: Senator Corbett —1

## RESOLUTIONS

Senator Barron offered the following Senate Resolutions, to-wit:

S. R. 153. CONGRATULATING MR. AND MRS. CLYDE BUTLER ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

S. R. 154. REQUESTING THE UNITED STATES CONGRESS TO SUPPORT "THE OLDER AMERICANS ACT."

Which were filed.

## BUDGET ISOLATION RESOLUTION

Senator Langford, B. I. R., S. B. 44, adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Covington	Foshee	Langford	
Barron	deGraffenried	Goodwin	Manley	
Bedsole	Dial	Hale	Menton	
Bennett	Dixon	Holmes	Rice	
Cabaniss	Ellis	Horn	Smith (B)	
Campbell	Figures			—21

Nays: —0

## BILLS ON THIRD READING RESUMED

THE BILL:

S. 44. To amend Sections 41-16-54 and 41-16-55, Code of Alabama 1975, as amended, by changing the figure "\$2,000.00" wherever same appears



REGULAR SESSION  
22nd Day

1323

to the figure "\$3,000.00" to conform to Section 41-16-50 Code of Alabama 1975, as heretofore amended.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Bedsole	Dial	Hale	Preuitt	
Bennett	Dixon	Holmes	Rice	
Cabaniss	Ellis	Horn	Sanders	
Corbett	Figures	Langford	Smith (B)	
Covington	Foshee			—21

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., S. B. 150, adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Campbell	Ellis	Manley	
Amari	Covington	Foshee	Menton	
Bedsole	deGraffenried	Goodwin	Preuitt	
Bennett	Dial	Hale	Rice	
Bishop	Dixon	Horn	Sanders	
Cabaniss	Drinkard	Langford	Smith (B)	—23

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 150. To exempt from all state, county or local ad valorem taxes all property owned and used by the Selma-Dallas County Historic Preservation Society.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 150, to-wit:

**SUBSTITUTE FOR S. B. 150**

**A BILL  
TO BE ENTITLED  
AN ACT**

To exempt from all state, county or local ad valorem taxes and from all state, county or local sales and use taxes all property owned and used by the Selma-Dallas County Historic Preservation Society.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. All property owned by the Selma-Dallas County Historic Preservation Society and used by said organization is hereby exempted from

all state, county or local ad valorem taxation and all state, county or local sales and use taxation.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Manley	
Amari	Campbell	Foshee	Menton	
Bailey	Covington	Goodwin	Preuitt	
Bedsole	deGraffenried	Hale	Rice	
Bennett	Dixon	Horn	Sanders	
Bishop	Drinkard	Langford	Smith (B)	—23

*Nays:* —0

And said Bill, S. B. 150, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Menton	
Amari	Covington	Hale	Preuitt	
Bedsole	Dixon	Holmes	Rice	
Bennett	Ellis	Horn	Sanders	
Bishop	Foshee	Manley	Smith (B)	—20
Cabaniss				

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Sanders, B. I. R., H. B. 220, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Menton	
Amari	Covington	Hale	Preuitt	
Bedsole	Dial	Holmes	Rice	
Bennett	Dixon	Horn	Sanders	
Bishop	Ellis	Langford	Smith (B)	—22
Cabaniss	Foshee	Manley		

*Nays:* —0

### BILLS ON THIRD READING RESUMED

THE BILL:

H. 220. To amend Section 11-54A-7, Code of Alabama 1975, relating to Downtown Redevelopment Authorities so as to remove the restriction

**REGULAR SESSION  
22nd Day**

1325

that state, county or municipal officers and employees cannot serve on the board of directors.

was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hale	Menton	
Amari	Dial	Holmes	Preuitt	
Bedsole	Dixon	Horn	Rice	
Bennett	Ellis	Langford	Sanders	
Cabaniss	Foshee	Manley	Smith (B)	
Campbell	Goodwin			—21

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 139, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Dixon	Holmes	Preuitt	
Bishop	Ellis	Horn	Rice	
Cabaniss	Foshee	Langford	Sanders	
Campbell	Goodwin	Manley	Smith (B)	
deGraffenried	Hale	Menton		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 139. To amend Section 36-21-2, Code of Alabama 1975, relating to the subsistence allowance for certain specified law enforcement officers, so as to extend the subsistence allowance provided therein to probation and parole officers of the Alabama board of pardons and paroles, fire marshals of the department of insurance, revenue enforcement officers of the department of revenue, and law enforcement officers of the state capital police; and to make this act retroactive to January 21, 1987.

was read a third time at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Menton	
Amari	deGraffenried	Hale	Preuitt	
Bailey	Dial	Holmes	Rice	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis	Langford	Smith (B)	
Bishop	Foshee	Manley	Smith (J)	
Cabaniss				—24

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 259, adopted.

Yeas 21; Nays 1.

*Yeas:*

Senators:	Campbell	Goodwin	Menton
Bedford	deGraffenried	Hale	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Ellis	Manley	Smith (B)
Cabaniss	Foshee		

—21

*Nay:* Senator Amari

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 259. To amend Section 14-3-47 of the Code of Alabama 1975, to expressly allow the commissioner of corrections to train or employ state convicts in camps, posts or stations around the state and to adopt the regulations necessary as determined by the commissioner of corrections.

was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Manley
Amari	Campbell	Hale	Menton
Bedford	deGraffenried	Hilliard	Preuitt
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon	Langford	Smith (B)
Bishop	Foshee		

—21

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 563, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Manley
Bedford	Covington	Hale	Menton
Bennett	Dixon	Hilliard	Preuitt
Bishop	Ellis	Holmes	Sanders
Cabaniss	Foshee	Langford	Smith (B)

—19

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 563. To amend Sections 9 and 11 of Act No. 85-546, Regular Session 1985, (Acts 1985, p. 795) whereby an additional circuit judgeship position

**REGULAR SESSION  
22nd Day**

1327

was created in the 29th Judicial Circuit, to provide that such position shall first be filled at the general election held in 1994; to provide that the circuit judge elected to this position shall serve a full term of office commencing in January 1995; and to further provide that sufficient funding shall be appropriated to the unified judicial system for fiscal year 1994-95 for this additional judgeship position.

was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Covington	Hilliard	Preuitt
Bedford	Dixon	Holmes	Rice
Bedsole	Ellis	Langford	Sanders
Bennett	Foshee	Manley	Smith (B)
Cabaniss	Hale	Menton	

—18

Nays: —0

**MOTION IN WRITING**

Senator Langford offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 276, on page 27 of the 22nd Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 276, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 478, adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Covington	Hilliard	Menton
Bedford	deGraffenried	Holmes	Preuitt
Bennett	Ellis	Horn	Rice
Bishop	Foshee	Langford	Sanders
Cabaniss	Goodwin	Manley	Smith (J)
Campbell	Hale		

—21

Nays: —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 478. To amend Sections 24-6-3 and 24-6-4, Code of Alabama 1975, so as to further provide for the duties, functions, administration and remuneration of the Alabama Manufactured Housing Commission; and to provide that no commissioner shall be liable for damages resulting from any act performed in carrying out his duties as a commissioner.

was taken up.

On motion of Senator Manley, Rule 14(4) was suspended and he was granted permission to offer the following amendment to the Bill, S. B. 478, to-wit:

### AMENDMENT TO S. B. 478

Amend Senate Bill No. 478 Page 3 Lines 8, 9 and 10, by striking out all words on lines 8, 9 and 10.

Which was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Bedford	Dial	Hale	Preuitt	
Bishop	Dixon	Hilliard	Rice	
Cabaniss	Ellis	Holmes	Sanders	
Campbell	Foshee	Manley	Smith (J)	
Covington				—20

*Nays:*

—0

And said Bill, S. B. 478, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 19; Nays 1.

*Yeas:*

Senators:	Covington	Goodwin	Preuitt	
Bedford	deGraffenried	Hale	Rice	
Bishop	Dial	Hilliard	Sanders	
Cabaniss	Dixon	Holmes	Smith (B)	
Campbell	Foshee	Langford	Smith (J)	
				—19

*Nay:* Senator Manley

—1

### BUDGET ISOLATION RESOLUTION

Senator Dial, B. I. R., S. B. 227, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Manley	
Amari	Covington	Hale	Menton	
Bailey	deGraffenried	Hilliard	Rice	
Bedford	Dial	Holmes	Smith (B)	
Bishop	Dixon	Horn	Smith (J)	
Cabaniss	Foshee	Langford		
				—22

*Nays:*

—0

### BILLS ON THIRD READING RESUMED

THE BILL:

S. 227. To amend Sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners in Psychology, so as to provide for increases in certain fees charged by the board.

**REGULAR SESSION  
22nd Day**

1329

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Langford	
Bailey	deGraffenried	Goodwin	Menton	
Bedsole	Dial	Hale	Rice	
Bishop	Dixon	Holmes	Sanders	
Campbell	Ellis	Horn	Smith (B)	—19

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 215, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Covington	Hale	Preuitt	
Bedford	deGraffenried	Horn	Sanders	
Bishop	Dixon	Langford	Smith (B)	
Cabaniss	Figures	Manley	Smith (J)	
Campbell	Foshee	Menton		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 215. To provide that a trust company or other financial institution with trust powers may, in its fiduciary capacity, purchase bonds or other securities underwritten by the financial institution or by a syndicate which includes the financial institution or an affiliate of the financial institution.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Menton	
Bedford	deGraffenried	Goodwin	Preuitt	
Bishop	Dixon	Hale	Rice	
Cabaniss	Ellis	Langford	Smith (B)	
Campbell	Figures	Manley	Smith (J)	
Corbett				—20

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 214, adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Menton	
Bedford	deGraffenried	Hale	Preuitt	
Bishop	Dixon	Holmes	Sanders	
Cabaniss	Ellis	Langford	Smith (B)	
Campbell	Figures	Manley	Smith (J)	—19

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 214. To amend Section 16-13-99, Code of Alabama 1975, to eliminate therefrom the schedule of maximum fees to be paid a paying agent bank for the services performed and expenses incurred in acting as paying agent, and to authorize boards of education to compensate paying agent banks in amounts deemed reasonable by the board of education.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	deGraffenried	Hale	Menton	
Bailey	Dixon	Holmes	Preuitt	
Bedford	Drinkard	Horn	Rice	
Cabaniss	Ellis	Langford	Sanders	
Campbell	Goodwin	Manley	Smith (B)	
Covington				—20

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 73, adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Covington	Figures	Menton	
Bailey	deGraffenried	Foshee	Preuitt	
Bedsole	Dial	Hale	Rice	
Bishop	Dixon	Holmes	Sanders	
Cabaniss	Drinkard	Manley	Smith (J)	
Campbell	Ellis			—21

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 73. To amend Section 6-5-332, Code of Alabama, 1975, relating to rendering first aid or emergency care at the scene of an accident so as to include education employees.



**REGULAR SESSION  
22nd Day**

1331

was taken up.

On motion of Senator Preuitt, Rule 14(4) was suspended and he was granted permission to offer the following amendment to the Bill, H. B. 73, to-wit:

**AMENDMENT TO H. B. 73**

Amend House Bill No. 73 Page 2 Line 32, by striking out Subsection E of Section 1 in its entirety.

Which was adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Covington	Figures	Manley
Bailey	deGraffenried	Foshee	Menton
Bedsole	Dial	Goodwin	Preuitt
Bishop	Dixon	Hale	Sanders
Cabaniss	Drinkard	Holmes	Smith (J)
Campbell	Ellis	Langford	

—22

*Nays:* —0

And said Bill, H. B. 73, as thus amended, was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Covington	Figures	Langford
Bailey	deGraffenried	Foshee	Manley
Bedsole	Dial	Goodwin	Menton
Bishop	Dixon	Hale	Preuitt
Cabaniss	Drinkard	Holmes	Smith (J)
Campbell	Ellis		

—21

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Covington, B. I. R., H. B. 121, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Manley
Amari	Dial	Hale	Menton
Barron	Dixon	Hilliard	Parsons
Bedsole	Drinkard	Holmes	Preuitt
Bennett	Ellis	Horn	Rice
Cabaniss	Figures	Langford	Sanders
Campbell	Foshee		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 121. Relating to Dale County; providing that the Dale County Commission or other governing body of Dale County shall be authorized to levy sales and use taxes generally paralleling the state sales and use taxes with the same and additional exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing for the distribution of said revenue; providing that any such taxes may be levied in Dale County as a whole or that there may be excluded from any such levy any incorporated municipality in Dale County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Manley
Amari	Dial	Hale	Menton
Barron	Dixon	Hilliard	Parsons
Bedsole	Drinkard	Holmes	Preuitt
Bennett	Ellis	Horn	Rice
Cabaniss	Figures	Langford	Sanders
Campbell	Foshee		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Covington, B. I. R., H. B. 716, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Manley
Amari	Dial	Hale	Menton
Barron	Dixon	Hilliard	Parsons
Bedsole	Drinkard	Holmes	Preuitt
Bennett	Ellis	Horn	Rice
Cabaniss	Figures	Langford	Sanders
Campbell	Foshee		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 716. Relating to the City of Ozark in Dale County, Alabama; authorizing the municipal governing body to levy additional ad valorem taxes for public school and educational purposes within the municipality, and calling for a referendum thereon by the qualified municipal electors.

was read a third time at length and passed.

REGULAR SESSION  
22nd Day

1333

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Manley
Amari	Dial	Hale	Menton
Barron	Dixon	Hilliard	Parsons
Bedsole	Drinkard	Holmes	Preuitt
Bennett	Ellis	Horn	Rice
Cabaniss	Figures	Langford	Sanders
Campbell	Foshee		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., S. B. 597, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Hilliard	Parsons
Bailey	Corbett	Holmes	Preuitt
Bedford	Covington	Horn	Rice
Bedsole	deGraffenried	Langford	Sanders
Bennett	Drinkard	Manley	Smith (B)
Bishop	Ellis	Menton	Smith (J)
Cabaniss	Hale		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 597. To propose an Amendment to the Constitution of Alabama of 1901 levying a one (1) mill property tax on real property located in Houston County, excluding property located in the City of Dothan; subject to a petition for subsequent elections if submitted every four years by ten percent of the registered voters; and to provide that the net proceeds of such tax, if approved, shall be used only for fire fighting and fire prevention purposes in Houston County outside the city limits of Dothan.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Hilliard	Parsons
Bailey	Corbett	Holmes	Preuitt
Bedford	Covington	Horn	Rice
Bedsole	deGraffenried	Langford	Sanders
Bennett	Drinkard	Manley	Smith (B)
Bishop	Ellis	Menton	Smith (J)
Cabaniss	Hale		

—25

*Nays:*

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate.

S. J. R. 151. MEETING DAYS.

JOHN W. PEMBERTON,  
Clerk.

## RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 155. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twenty-second legislative day of the 1987 Regular Session only:

## 1. Motions &amp; Resolutions

BILL NO.	DESCRIPTION	PAGE NO.
H. 266	Walker County Jr. College, approp.	105
H. 268	Marion Military Institute appropriation.	105
H. 397	Talledega College, approp.	106
H. 247	Lyman Ward Military Academy, approp.	104
H. 255	Tuskegee University, approp.	104
S. 521	Juror harassment, crime of defined, penalties.	108
S. 480	Health care service plan corporations, required to be domestic mutual ins. companies subj. to existing law, all other domestic ins. companies req. furnish health care service plans.	85
S. 339	Liquefied Petroleum Gas Bd., powers, duties, authorities and requirements, further req., creation of bond fund, Sec. 9-17-105 am'd.	26
S. 544	Credit Card Act, established.	100
S. 254	State employees travel allowance, optional when attending training schools, Sec. 36-7-20 am'd.	57
S. 43	Public Employees' Individual Retirement Account Fund, cert. st. and local public officers and employees auth. to contribute to fund, Secs. 36-27A-1, 36-27A-5 am'd.	8
S. 310	Supernumerary officials, qualifications Sec. 40-6-1 amended.	45

REGULAR SESSION  
22nd Day

1335

S. 65	Hunter Education Course, required for annual, trip or lifetime hunting licenses prior to issuance.	96
S. 472	Groundwater Protection Trust Fund, established, fees.	110
S. 554	Rights-of-way, business activity prohibited on, penalties provided.	114
H. 184	Court costs, increased.	93
H. 48	Civil actions for personal injury caused by municipal or county officer, venue reg.	64
S. 430	Jefferson Co., pension system for officers and employees, Act 497, Reg. Sess. 1965 am'd.	100
S. 499	Law enforcement officers, survivors to receive badge, officers disabled in line of duty to receive badge.	73
S. 392	Huntsville Depot, desig. as official st. railway museum.	35
H. 406	Municipal officials, participation in retirement plans, participation after election to state-wide office.	106
S. 229	Motor vehicles, licensing and tax, RV's excluded from truck tax fees, effective on passage of distinctive license plates, Sec. 40-12-240 am'd.	38
S. 318	Fireworks, reg. Secs. 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-226 am'd.	25
S. 140	Food stamps, illegal possession of, criminal offense, penalties.	60
S. 536	Human Resources Dept., state supported child day care program, supp. approp.	112
S. 86	Capital punishment statute, altered to provide that murder of law enforcement officers or prison guards constitutes a capital offense regardless if defendant knew if victim was on duty, section 13A-5-40 amended.	59
S. 117	Counties, bonds or warrants of the county, not considered bond for cert. purposes, said bonds and warrants not deemed part of county's indebtedness, consti. amend.	12
S. 212	Motor Vehicles, first degree assault if DUI and injure person. Sec. 13A-6-20 amended.	52
S. 174	Public Safety Dept. employees who are retired, auth. to be employed with another gov't entity and continue to receive retirement benefits.	27

JOURNAL OF THE SENATE, 1987  
22nd Day

S. 42	Mortgage recording tax, exempt re-recording for correction of errors, Secs. 40-22-1, 40-22-2 am'd.	32
S. 294	Annual state "big game (deer and turkey) stamp"; required.	95
S. 161	Persons convicted of DUI req. to complete a ct. referral program approved by Administrative Office of Cts., Sec. 32-5A-191 am'd.	7
S. 401	Boll Weevil Eradication, assessments for, Secs. 2-19-131 and 2-19-135 am'd.	55
S. 475	Headlights, use req. in rain, Sec. 32-5-240 am'd.	77
H. 137	Rural electric cooperatives, area meetings, Secs., 37-6-9, 37-6-10 and 37-6-11 am'd.	77
S. 210	Licenses and Licensing, Medical Licensure Comm. suspend. or revoke licenses to practice medicine or osteopathy if another state licensing bd takes action against physician, Sec. 34-24-360 am'd.	2
S. 12	Budgets, reserve of 5% of previous year's appropriation req. in gen. fund and special educational trust fund, consti. amend.	46
S. 79	Crime of falsely reporting an incident, penalty incr. to felony, Sec. 13A-11-11 am'd.	59
S. 565	Unemployment Trust Fund, approp. from, to purchase land, buildings for the admin. of unemployment comp. and employment services programs of Industrial Relations Dept.	114

## 2. Committee Reports

Senator Smith (J) offered the following substitute for the Resolution, S. R. 155, to-wit:

### SUBSTITUTE FOR S. R. 155

#### S. R. 155. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the twenty-second legislative day of the 1987 Regular Session only:

#### 1. Motions & Resolutions

BILL NO.	DESCRIPTION	PAGE NO.
H. 266	Walker County Jr. College, approp.	105
H. 268	Marion Military Institute appropriation.	105
H. 397	Talledega College, approp.	106
H. 247	Lyman Ward Military Academy, approp.	104

REGULAR SESSION  
22nd Day

1337

H. 255	Tuskegee University, approp.	104
S. 521	Juror harassment, crime of defined, penalties.	108
S. 480	Health care service plan corporations, required to be domestic mutual ins. companies subj. to existing law, all other domestic ins. companies req. furnish health care service plans.	85
S. 339	Liquefied Petroleum Gas Bd., powers, duties, authorities and requirements, further req., creation of bond fund, Sec. 9-17-105 am'd.	26
S. 544	Credit Card Act, established.	100
S. 254	State employees travel allowance, optional when attending training schools, Sec. 36-7-20 am'd.	57
S. 43	Public Employees' Individual Retirement Account Fund, cert. st. and local public officers and employees auth. to contribute to fund, Secs. 36-27A-1, 36-27A-5 am'd.	8
S. 310	Supernumerary officials, qualifications Sec. 40-6-1 amended.	45
S. 65	Hunter Education Course, required for annual, trip or lifetime hunting licenses prior to issuance.	96
S. 472	Groundwater Protection Trust Fund, established, fees.	110
S. 554	Rights-of-way, business activity prohibited on, penalties provided.	114
H. 184	Court costs, increased.	93
H. 48	Civil actions for personal injury caused by municipal or county officer, venue reg.	64
S. 430	Jefferson Co., pension system for officers and employees, Act 497, Reg. Sess. 1965 am'd.	100
S. 499	Law enforcement officers, survivors to receive badge, officers disabled in line of duty to receive badge.	73
S. 392	Huntsville Depot, desig. as official st. railway museum.	35
H. 406	Municipal officials, participation in retirement plans, participation after election to state-wide office.	106
S. 229	Motor vehicles, licensing and tax, RV's excluded from truck tax fees, effective on passage of distinctive license plates, Sec. 40-12-240 am'd.	38

S. 318	Fireworks, reg. Secs. 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-226 am'd.	25
S. 140	Food stamps, illegal possession of, criminal offense, penalties.	60
S. 536	Human Resources Dept., state supported child day care program, supp. approp.	112
S. 86	Capital punishment statute, altered to provide that murder of law enforcement officers or prison guards constitutes a capital offense regardless if defendant knew if victim was on duty, section 13A-5-40 amended.	59
S. 117	Counties, bonds or warrants of the county, not considered bond for cert. purposes, said bonds and warrants not deemed part of county's indebtedness, consti. amend.	12
S. 212	Motor Vehicles, first degree assault if DUI and injure person. Sec. 13A-6-20 amended.	52
S. 174	Public Safety Dept. employees who are retired, auth. to be employed with another gov't entity and continue to receive retirement benefits.	27
S. 42	Mortgage recording tax, exempt re-recording for correction of errors, Secs. 40-22-1, 40-22-2 am'd.	32
S. 294	Annual state "big game (deer and turkey) stamp"; required.	95
S. 161	Persons convicted of DUI req. to complete a ct. referral program approved by Administrative Office of Cts., Sec. 32-5A-191 am'd.	7
S. 401	Boll Weevil Eradication, assessments for, Secs. 2-19-131 and 2-19-135 am'd.	55
S. 475	Headlights, use req. in rain, Sec. 32-5-240 am'd.	77
H. 137	Rural electric cooperatives, area meetings, Secs., 37-6-9, 37-6-10 and 37-6-11 am'd.	77
S. 210	Licenses and Licensing, Medical Licensure Comm. suspend. or revoke licenses to practice medicine or osteopathy if another state licensing bd takes action against physician, Sec. 34-24-360 am'd.	2
S. 12	Budgets, reserve of 5% of previous year's appropriation req. in gen. fund and special educational trust fund, consti. amend.	46
S. 79	Crime of falsely reporting an incident, penalty incr. to felony, Sec. 13A-11-11 am'd.	59



REGULAR SESSION  
22nd Day

1339

- S. 565            Unemployment Trust Fund, approp. from, to            114  
                 purchase land, buildings for the admin. of  
                 unemployment comp. and employment serv-  
                 ices programs of Industrial Relations Dept.

2. Committee Reports

Which was adopted.

And on motion of Senator Smith (J), the Resolution, S. R. 155, as thus amended by the substitute, was adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 139. To amend Section 36-21-2, Code of Alabama 1975, relating to the subsistence allowance for certain specified law enforcement officers, so as to extend the subsistence allowance provided therein to probation and parole officers of the Alabama board of pardons and paroles, fire marshals of the department of insurance, revenue enforcement officers of the department of revenue, and law enforcement officers of the state capitol police; and to make this act retroactive to January 21, 1987.

Also:

H. 220. To amend Section 11-54A-7, Code of Alabama 1975, relating to Downtown Redevelopment Authorities so as to remove the restriction that state, county or municipal officers and employees cannot serve on the board of directors.

Also:

H. 259. To amend Section 14-3-47 of the Code of Alabama 1975, to expressly allow the commissioner of corrections to train or employ state convicts in camps, posts or stations around the state and to adopt the regulations necessary as determined by the commissioner of corrections.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tem of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate.

S. J. R. 146. COMMENDING THOMAS J. BRASSSELL FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

Also:

S. J. R. 147. REQUESTING THE UNITED STATES CONGRESS TO SUPPORT "THE OLDER AMERICANS ACT."

Also:

S. J. R. 152. COMMENDING CHARLES W. GAMBLE FOR DISTINGUISHED SERVICE AS DEAN OF THE UNIVERSITY OF ALABAMA SCHOOL OF LAW.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 99. Relating to DeKalb County; to create a motor vehicle license and title division within the tax assessor's office for the issuance of motor vehicle licenses and titles; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to prescribe more convenient and efficient procedures for assessing and collecting certain taxes; to provide for the issuance of motor vehicle licenses and titles by the tax assessor's office; to transfer certain duties now performed by the probate judge and tax collector to said tax assessor.

JOHN W. PEMBERTON,  
Clerk.

### RESOLUTION

Senator Rice offered the following Senate Resolution, to-wit:

S. R. 156. COMMENDING THE "ALABAMA LEADERSHIP NETWORK" TO THE CIVIC AND COMMUNITY LEADERS OF ALABAMA.

Which was filed.

### MOTIONS IN WRITING

Senator Hale offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 72, on page 51 of the 22nd Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 72, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Senator Sanders offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 250, on page 67 of the 22nd Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 250, referred to the Standing Committee on Rules for placement on the Consent Calendar.

RESOLUTION

Senator Sanders offered the following Senate Joint Resolution, to-wit:

S. J. R. 157. REQUESTING THE STATE DEPARTMENT OF EDUCATION TO CONDUCT A SURVEY.

WHEREAS, the teaching conditions in our schools are of the utmost importance; and

WHEREAS, the Legislature of Alabama appropriates funds based on the attendance of students in the various school systems of this state; and

WHEREAS, the conditions in which students are taught seem to vary dramatically from school system to school system and from school to school within the same system; and

WHEREAS, unacceptable overcrowding in Alabama's classrooms continue unabated in spite of the large sums of appropriated funds from the State of Alabama; and

WHEREAS, the learning conditions of students are directly related to the teacher-pupil ratio; and

WHEREAS, current reports of teacher-pupil ratios include other non-classroom certified personnel, thereby giving a false picture of actual pupil-teacher ratios in Alabama; and

WHEREAS, the Legislature and other state agencies are unaware of the actual ratio of students per classroom teachers;

WHEREAS, it is important for the Legislature to have an actual accounting of the pupil-teacher ratio in the public schools in order to appropriate funds more wisely;

THEREFORE, BE IT RESOLVED by the Alabama Senate, the House concurring, that in order to obtain an accurate pupil-classroom teacher ratio report, each city and county school system receiving funds from the Alabama Special Educational Trust Fund shall cause a report to be filed with the State Department of Education containing the following information;

(a) The number of students in each classroom, to include a breakdown by school, subject, and grade level. These figures are to exclude non-classroom personnel as librarians, counselors, principals, and other non-teaching certified personnel.

(b) The number of students per classroom teacher, by school delineating which teachers are teaching "self-contained" (all day) classes and those classes which are departmentalized (by subject).

(c) The number of personnel by school assigned to individual schools, exclusive of certificated central office personnel, who are certified but not teaching in the classroom (i.e., librarians, counselors, principals, or other certified non-teaching personnel).

(d) The number of central office personnel who are certificated.

(e) Other information as may be deemed necessary or wise by the State Department of Education in order to effect the intent of this resolution.

BE IT FURTHER RESOLVED by the Alabama Senate, the House concurring, that the State Department of Education shall initiate this survey,

causing such reports to be filed by every local city and county school system in a uniform and consistent manner. The first report shall be for the 1987-88 academic year. The State Department of Education shall make this report available to the public no later than December 1, 1987, and each year thereafter and to the Joint Legislative Budget Committee at its budget hearings preceding each regular legislative session. It is the intent of the Legislature that all personnel are to be counted in the information as stipulated above, irrespective of whether they are paid from local, state, or Federal funds.

Which was read and referred to the Standing Committee on Rules.

### MOTIONS IN WRITING

Senator Corbett offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 174, on page 29 of the 22nd Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 174, referred to the Standing Committee on Rules for placement on the Consent Calendar.

On motion of Senator Bedsole, the Rules were suspended and she was granted permission to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 46, on page 33 of the 22nd Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 46, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### MOTION TO ADJOURN LOST

At 1:10 P.M., Senator Figures moved that when the Senate adjourns today, it adjourn at 4:15 P.M., which motion was lost.

### RESOLUTION

Senators Dial, Rice, Barron, Covington, Preuitt, Manley, Bailey, Ellis, and Smith (J) offered the following Senate Resolution, to-wit:

S. R. 158. URGING UNITED STATES SENATOR SAM NUNN OF GEORGIA TO RUN FOR THE PRESIDENCY.

Which was read and referred to the Standing Committee on Rules.

### BUDGET ISOLATION RESOLUTION

Senator Bishop, B. I. R., H. B. 266, adopted.

Yeas 24; Nays 1.

Yeas:

Senators:	Covington	Hale	Menton
Barron	Dial	Hilliard	Parsons
Bedford	Drinkard	Holmes	Preuitt
Bennett	Ellis	Horn	Rice
Bishop	Figures	Langford	Sanders
Cabaniss	Goodwin	Manley	Smith (J)
Campbell			

Nay: Senator Dixon

REPORT OF  
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 150. To exempt from all state, county or local ad valorem taxes and from all state, county or local sales and use taxes all property owned and used by the Selma-Dallas County Historic Preservation Society.

Also:

S. 478. To amend Sections 24-6-3 and 24-6-4, Code of Alabama 1975, so as to further provide for the duties, functions, administration and remuneration of the Alabama Manufactured Housing Commission; and to provide that no commissioner shall be liable for damages resulting from any act performed in carrying out his duties as a commissioner.

JIM SMITH,  
Chairperson.

SPECIAL ORDER  
BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 266. To make an appropriation for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1988.

And said Bill, H. B. 266, was read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Parsons
Barron	Covington	Hale	Preuitt
Bedford	Dial	Hilliard	Rice
Bennett	Drinkard	Holmes	Sanders
Bishop	Ellis	Horn	Smith (J)
Cabaniss	Figures	Langford	

—26

Nay: Senator Dixon

—1

BUDGET ISOLATION RESOLUTION

Senator Sanders, B. I. R., H. B. 268, adopted.

Yeas 22; Nays 2.

Yeas:

Senators:	Corbett	Hale	Menton
Amari	Covington	Hilliard	Preuitt
Bedford	Drinkard	Holmes	Rice
Bennett	Ellis	Horn	Sanders
Bishop	Foshee	Langford	Smith (J)
Cabaniss	Goodwin	Manley	

—22

*Nays:*

Senators:	Dixon	Parsons	—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 268. To make an appropriation for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1988.  
was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Hale	Menton	
Bailey	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Preuitt	
Bishop	Drinkard	Horn	Rice	
Cabaniss	Ellis	Langford	Sanders	
Campbell	Foshee	Manley	Smith (J)	
Corbett	Goodwin			—25

<i>Nays:</i>	—0
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**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 397, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Manley	
Bedsole	Dial	Hale	Preuitt	
Bishop	Dixon	Holmes	Rice	
Cabaniss	Drinkard	Horn	Sanders	
Campbell	Ellis	Langford	Smith (J)	
Covington	Foshee			—21

<i>Nays:</i>	—0
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 397. To make an appropriation for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1988.  
was read a third time at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Bailey	deGraffenried	Goodwin	Preuitt	
Bedsole	Dial	Hale	Rice	
Bishop	Dixon	Holmes	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Campbell	Ellis	Langford	Smith (J)	
Corbett				—24

<i>Nays:</i>	—0
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**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., H. B. 247, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Preuitt	
Bailey	deGraffenried	Hale	Rice	
Bedsole	Dial	Hilliard	Sanders	
Bishop	Dixon	Holmes	Smith (B)	
Cabaniss	Drinkard	Horn	Smith (J)	
Campbell	Ellis	Langford		—22

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 247. To make an appropriation for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1988.

was read a third time at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Manley	
Bailey	Dial	Hale	Parsons	
Bishop	Dixon	Hilliard	Preuitt	
Cabaniss	Drinkard	Holmes	Rice	
Campbell	Ellis	Horn	Sanders	
Corbett	Foshee	Langford	Smith (J)	
Covington				—24

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 121. Relating to Dale County; providing that the Dale County Commission or other governing body of Dale County shall be authorized to levy sales and use taxes generally paralleling the state sales and use taxes with the same and additional exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing for the distribution of said revenue; providing that any such taxes may be levied in Dale County as a whole or that there may be excluded from any such levy any incorporated municipality in Dale County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

Also:

H. 563. To amend Sections 9 and 11 of Act No. 85-546, Regular Session 1985, (Acts 1985, p. 795) whereby an additional circuit judgeship position was created in the 29th Judicial Circuit, to provide that such position shall first be filled at the general election held in 1994; to provide that the circuit judge elected to this position shall serve a full term of office commencing in January 1995; and to further provide that sufficient funding shall be appropriated to the unified judicial system for fiscal year 1994-95 for this additional judgeship position.

Also:

H. 716. Relating to the City of Ozark in Dale County, Alabama; authorizing the municipal governing body to levy additional ad valorem taxes for public school and educational purposes within the municipality, and calling for a referendum thereon by the qualified municipal electors.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### BUDGET ISOLATION RESOLUTION

Senator Corbett, B. I. R., H. B. 255, adopted.

Yeas 22; Nays 1.

Yeas:

Senators:	deGraffenried	Hale	Menton	
Amari	Dial	Hilliard	Preuitt	
Bailey	Drinkard	Holmes	Rice	
Bishop	Ellis	Horn	Sanders	
Campbell	Foshee	Langford	Smith (J)	
Covington	Goodwin	Manley		—22

Nay: Senator Parsons

—1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 255. To make an appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1988.

was read a third time at length and passed.



**REGULAR SESSION  
22nd Day**

1347

Yeas 24; Nays 1.

*Yeas:*

Senators:	Dial	Hale	Menton
Bedsole	Drinkard	Hilliard	Preuitt
Cabaniss	Ellis	Holmes	Rice
Campbell	Figures	Horn	Sanders
Corbett	Foshee	Langford	Smith (B)
Covington	Goodwin	Manley	Smith (J)
deGraffenried			

—24

*Nay:* Senator Dixon —1

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Preuitt, B. I. R., H. B. 261, adopted.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Menton
Bailey	Drinkard	Hilliard	Preuitt
Bedsole	Ellis	Holmes	Rice
Bishop	Figures	Horn	Sanders
Campbell	Foshee	Langford	Smith (B)
Covington	Goodwin	Manley	Smith (J)
deGraffenried			

—24

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 261. To make an appropriation for the support and maintenance of Sylacauga Nurses Training School for the fiscal year ending September 30, 1988.

was read a third time at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hale	Menton
Bailey	Dial	Hilliard	Preuitt
Bedsole	Drinkard	Holmes	Rice
Bishop	Figures	Horn	Sanders
Cabaniss	Foshee	Langford	Smith (B)
Campbell	Goodwin	Manley	Smith (J)
Corbett			

—24

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Figures, B. I. R., S. B. 521, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton
Bedsole	Dial	Hale	Preuitt
Bennett	Drinkard	Hilliard	Rice
Bishop	Figures	Holmes	Sanders
Cabaniss	Foshee	Langford	Smith (B)
Campbell			

—20

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 521. To define the crime of juror harassment; to prescribe for criminal felony punishment.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, S. B. 521, to-wit:

**AMENDMENT TO S. B. 521**

Amend S. B. 521, Page 1, Line 20, by striking out the words "communicate with or".

Which was adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Menton
Bedford	Covington	Foshee	Preuitt
Bedsole	deGraffenried	Goodwin	Rice
Bennett	Dial	Hale	Sanders
Bishop	Drinkard	Holmes	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

—23

*Nays:*

—0

And said Bill, S. B. 521, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Menton
Bedsole	deGraffenried	Goodwin	Rice
Bishop	Dial	Hale	Sanders
Cabaniss	Drinkard	Holmes	Smith (B)
Campbell	Ellis	Horn	Smith (J)
Corbett	Figures	Langford	

—22

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Drinkard, B. I. R., S. B. 480, adopted.

REGULAR SESSION  
22nd Day

1349

Yeas 21; Nays 1.

Yeas:

Senators:	deGraffenried	Hale	Menton
Bedford	Dial	Holmes	Preuitt
Bennett	Dixon	Horn	Sanders
Bishop	Drinkard	Langford	Smith (B)
Cabaniss	Foshee	Manley	Smith (J)
Covington	Goodwin		

—21

Nay: Senator Parsons —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 480. To provide that health care service plan corporations organized under Article 6, Chapter 4, Title 10, Code of Alabama 1975, be domestic mutual insurance companies governed by the Insurance Code, Title 27, Code of Alabama 1975; to authorize all other domestic insurers to furnish health care service plans to the public; to amend the Insurance Code, Chapter 27, Title 27, Code of Alabama 1975, by adding Section 27-27-62 thereto; and to provide for the continuation of the existence of such corporations and other transitional provisions.

was taken up.

On motion of Senator Cabaniss, further consideration of the Bill, S. B. 480, was postponed temporarily.

**BUDGET ISOLATION RESOLUTION**

Senator Corbett, B. I. R., S. B. 339, adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	deGraffenried	Hilliard	Menton
Bailey	Dixon	Holmes	Preuitt
Bedford	Foshee	Horn	Sanders
Bedsole	Goodwin	Langford	Smith (B)
Bishop	Hale	Manley	Smith (J)
Campbell			

—20

Nays: —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 339. Relating to the liquefied petroleum gas board and the regulation of liquefied petroleum gas; to amend Section 9-17-105 of the Code of Alabama 1975, so as to provide for the further regulation of liquefied petroleum gas and the liquefied petroleum gas industry; to provide further for the powers, duties, authority and requirements of the liquefied petroleum gas board; and to provide for the creation of a bond fund in the state treasury for the personal bonds posted by certain persons in the liquefied petroleum gas industry.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton
Bailey	deGraffenried	Holmes	Preuitt
Bedford	Dial	Horn	Sanders
Bennett	Dixon	Langford	Smith (B)
Bishop	Foshee	Manley	Smith (J)
Campbell			

—20

*Nays:*

—0

### BUDGET ISOLATION RESOLUTION

Senator deGraffenried, B. I. R., S. B. 544, adopted.

Yeas 20; Nays 1.

*Yeas:*

Senators:	deGraffenried	Goodwin	Manley
Bedsole	Dial	Hale	Menton
Bishop	Dixon	Hilliard	Rice
Cabaniss	Ellis	Horn	Smith (B)
Campbell	Foshee	Langford	Smith (J)
Covington			

—20

*Nay:* Senator Corbett

—1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 544. Relating to banks and banking, which amends Title 5 of the Alabama Code of 1975 by adding Chapter 14A so as to create the "Alabama Credit Card Act of 1987"; provides a short title; provides definitions; authorizes any bank holding company, bank holding company subsidiary, domestic lender or foreign lender, to acquire, own, and control a single credit card bank whose principal place of business is in Alabama subject to the approval of the Superintendent of Banks under certain conditions and limitations; provides the terms and conditions under which a credit card bank may be organized, owned, and controlled; provides for application fees to the Superintendent; provides that in connection with a credit card account any domestic lender or credit card bank may provide in the credit card agreement such finance charges, interest rates, charges for cash advances, charges for exceeding pre-established credit limits, late fees or delinquency charges, premiums on credit life and credit accident and health insurance, annual fees, and other charges and fees, and such other terms and conditions, as the lender and the debtor may agree to from time to time; provides applicable law for regulatory supervision and enforcement authority for credit card banks; provides for applications and filing fees to the Superintendent of Banks; provides that the Superintendent may order credit card banks to cease all operations under certain conditions and may impose civil penalties for failure to abide by such order; provides that the Superintendent may require divestiture of a credit card bank under certain conditions; provides that the Superintendent may promulgate rules and regulations; provides that

credit card banks shall be subject to all other banking laws except when any rights, powers, privileges, or provisions thereof are inconsistent with the rights, powers, privileges, provisions, or limitations of Chapter 14A of Title 5; provides that a credit card bank shall not be considered a bank for the purpose of certain banking laws; provides for severability of provisions; provides for the repeal of Section 5-20-1, Code of Alabama of 1975, which established fees for credit cards and certain other open-end credit plans, and for the amendment or repeal of conflicting provisions of law and provides an effective date.

was taken up.

On motion of Senator Corbett, further consideration of the Bill, S. B. 544, was postponed temporarily.

### BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., S. B. 254, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Menton
Bailey	Covington	Hale	Rice
Bedford	Dial	Horn	Sanders
Bedsole	Dixon	Langford	Smith (B)
Bishop	Ellis	Manley	Smith (J)
Cabaniss	Foshee		

—21

*Nays:* —0

### BILLS ON THIRD READING RESUMED

THE BILL:

S. 254. To amend Section 36-7-20, Code of Alabama 1975, which relates to state employees' expense allowances, so as to make the expense provision optional where employees attend training sessions provided by contract with the employing agency and where expenses for meals and per diem are paid by such contract.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Manley
Bailey	Campbell	Goodwin	Menton
Bedsole	Covington	Hale	Rice
Bennett	Dixon	Hilliard	Smith (B)
Bishop	Ellis	Langford	Smith (J)

—19

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Venable:

**H. J. R. 315. CREATING A JOINT LEGISLATIVE STEERING COMMITTEE ON REAPPORTIONMENT TO PREPARE FOR THE 1990 CENSUS.**

WHEREAS, the Alabama Legislature is charged with reapportionment after each decennial census and the complexities are many and require incisive legal and demographic study; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint legislative steering committee on reapportionment to consist of six members as follows: Three members of the Senate to be appointed by the Presiding Officer and three members of the House to be appointed by the Speaker. This committee shall make a continuous study of the reapportionment problems in Alabama and create a Task Force on Reapportionment from among knowledgeable state officials and employees, academic personnel and others involved in demographic studies and other census matters. It shall make such reports of its investigations, findings and recommendations to the legislature at any time, during any regular or special session of the legislature, as it may deem necessary or desirable. Each member of the committee hereby created shall be entitled to his usual legislative pay, travel expenses and per diem for each day he spends in attending such committee meetings. Total expenditures shall not exceed \$4,000 per year. Provided, however, the steering committee shall terminate upon creation of a Joint Interim Committee on Reapportionment by the Legislature.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 315, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

Senator Langford, B. I. R., S. B. 43, adopted.

Yeas 18; Nays 0.

Yeas:

Senators:  
Bedsale  
Bennett  
Bishop  
Cabaniss

Campbell  
Covington  
deGraffenried  
Dixon  
Drinkard

Ellis  
Goodwin  
Hale  
Langford  
Manley

Menton  
Rice  
Smith (B)  
Smith (J)

—18

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 43. To amend Sections 36-27A-1 and 36-27A-5 Code of Alabama 1975, so as to allow public officials or employees of the State of Alabama, or any political subdivision thereof, to participate in the Public Employees' Individual Retirement Account Fund and to provide for additional nondeductible contributions.

was taken up.

On motion of Senator Langford, further consideration of the Bill, S. B. 43, was postponed subject to the call of the Chair.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 247. To make an appropriation for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1988.

Also:

H. 255. To make an appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1988.

Also:

H. 261. To make an appropriation for the support and maintenance of Sylacauga Nurses Training School for the fiscal year ending September 30, 1988.

Also:

H. 266. To make an appropriation for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1988.

Also:

H. 268. To make an appropriation for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1988.

Also:

H. 397. To make an appropriation for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1988.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing

Bills, the titles of which are set out in the foregoing Message from the House.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill and Senate Joint Resolutions with the original Senate Bill and Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 99. Relating to DeKalb County; to create a motor vehicle license and title division within the tax assessor's office for the issuance of motor vehicle licenses and titles; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to prescribe more convenient and efficient procedures for assessing and collecting certain taxes; to provide for the issuance of motor vehicle licenses and titles by the tax assessor's office; to transfer certain duties now performed by the probate judge and tax collector to said tax assessor.

Also:

S. J. R. 151. MEETING DAYS.

Also:

S. J. R. 146. COMMENDING THOMAS J. BRASSELL FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

Also:

S. J. R. 147. REQUESTING THE UNITED STATES CONGRESS TO SUPPORT "THE OLDER AMERICANS ACT."

Also:

S. J. R. 152. COMMENDING CHARLES W. GAMBLE FOR DISTINGUISHED SERVICE AS DEAN OF THE UNIVERSITY OF ALABAMA SCHOOL OF LAW.

JIM SMITH,  
Chairperson.

### SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

### BUDGET ISOLATION RESOLUTION

Senator Barron, B. I. R., S. B. 310, adopted.



**REGULAR SESSION  
22nd Day**

1355

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bennett	Ellis	Hilliard	
Bailey	Bishop	Figures	Langford	
Barron	Cabaniss	Foshee	Menton	
Bedford	Campbell	Goodwin	Rice	
Bedsole	Dixon	Hale	Smith (B)	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 310. To further amend Section 40-6-1, Code of Alabama 1975, as amended, so as to provide further for the qualifications for appointment as a supernumerary official.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Figures	Manley	
Barron	deGraffenried	Foshee	Menton	
Bennett	Dial	Goodwin	Rice	
Bishop	Dixon	Hale	Sanders	
Cabaniss	Drinkard	Hilliard	Smith (B)	
Campbell	Ellis	Langford	Smith (J)	—23

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 65, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Menton	
Bailey	Campbell	Foshee	Rice	
Bedford	Dixon	Goodwin	Sanders	
Bedsole	Drinkard	Hale	Smith (B)	
Bennett	Ellis	Langford	Smith (J)	—20
Bishop				

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 65. To require all persons born on or after October 1, 1971, and of 16 years of age or older to present certification of satisfactory completion of an approved hunter education course at the time of obtaining any annual or trip hunting license provided for in this chapter; to prohibit the issuance

of any annual or trip hunting licenses to said persons without said certification; to prohibit hunting by persons born on or after October 1, 1971, and of 16 years of age or older pursuant to any lifetime Alabama hunting license without obtaining said certification; to prohibit the illegal or fraudulent obtaining of said certification; to allow promulgation of a license and/or certification revocation procedure; to allow the Department of Conservation and Natural Resources to prescribe a course of instruction and an instructor certification procedure, and to approve other courses; to provide penalties for violation of this act.

was taken up.

The Standing Committee on Agriculture, Conservation, and Forestry, reported the following amendment to the Bill, S. B. 65, to-wit:

#### AMENDMENT TO S. B. 65

Amend Senate Bill 65 as follows: On Page 1, Lines 17 and 34; Page 2, Lines 6, 19, and 30 and on Page 3, Line 2, by striking out the figures "1971" and inserting in lieu thereof the following:

"1973"

Further amend Senate Bill 65 on Page 3, Line 25 as follows: after the word "weapons" add

"in every county in Alabama".

Further amend Senate Bill 65 on Page 3, Line 27, as follows: after the word "instructors" add

"in every county in Alabama".

Further amend Senate Bill 65 on Page 4, Line 5, by striking out the figures "1987" and inserting in lieu thereof the following:

"1988".

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton	
Bailey	Campbell	Goodwin	Rice	
Bedford	Dixon	Hale	Smith (B)	
Bedsole	Ellis	Langford	Smith (J)	
Bennett	Figures	Manley		—18

Nays:

—0

Senator Bedford offered the following amendment to the Bill, S. B. 65, as amended, to-wit:

#### AMENDMENT TO S. B. 65, AS AMENDED

S. B. 65, as amended, is hereby further amended as follows:

1. At line 27, page 1 of 4, after the word "act", delete the ".", and add the following language: "; and to provide certain exemptions relating to nonresidents hunting at commercial hunting lodges."

2. At line 15, page 2 of 4, after the word "act", delete the ".", and add the following language: "; and to provide certain exemptions relating to nonresidents hunting at commercial hunting lodges."

3. At line 32, page 3 of 4, after paragraph (g) in Section 1, and before Section 2, the following paragraph (h) shall be added to Section (1):

"(h) Notwithstanding anything herein to the contrary, nonresidents who are paying a fee to hunt at a commercial hunting lodge in the State of Alabama (and such fee has been paid in the regular course of business of such lodge and is in accordance with the customary amounts of fees charged by such lodge), said nonresidents shall, with regard to hunting at commercial hunting lodges only, be exempt from the prohibitions of paragraphs (a) and (c) of this act, and those persons issuing licenses shall be exempt from the prohibitions of paragraph (b) of this act upon satisfactory proof (as established by regulation) to such person that the nonresident applicant is hunting only at a commercial hunting lodge, and the words "COMMERCIAL HUNTING LODGE ONLY" shall, under such circumstances, be stamped across the face of any license issued."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Parsons
Amari	Corbett	Hale	Rice
Bailey	Dixon	Langford	Sanders
Bedford	Drinkard	Manley	Smith (B)
Bedsale	Ellis	Menton	Smith (J)
Bennett	Figures		

—21

Nays:

—0

On motion of Senator Rice, further consideration of the Bill, S. B. 65, was postponed subject to the call of the Chair.

### FURTHER CONSIDERATION OF S. B. 43

The Senate proceeded to further consideration of the Bill, S. B. 43.

Senator Langford offered the following amendment to the Bill, S. B. 43, to-wit:

### AMENDMENT TO S. B. 43

Amend Senate Bill No. 43 Page 1, Line 8, after the word "employees" and on page 1, line 23 after the word "Alabama" by inserting the following:

"including current and former legislators".

Further amend the bill on page 2, line 16 after the word "employee" by inserting the following:

", including current and former legislators,"

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton	
Bailey	Dixon	Hale	Rice	
Bedsole	Ellis	Hilliard	Sanders	
Bennett	Figures	Langford	Smith (B)	
Bishop	Foshee	Manley	Smith (J)	
Campbell				—20

Nays: —0

And said Bill, S. B. 43, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Rice	
Amari	Dial	Goodwin	Sanders	
Bailey	Dixon	Langford	Smith (B)	
Bedsole	Ellis	Manley	Smith (J)	
Bennett	Figures	Menton		—18

Nays: —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 472. To establish the Alabama Groundwater Protection Trust Fund; to provide for a disposition of the environmental protection fees collected for returning polluted groundwater to a quality comparable to its previous state; to establish an advisory board to advise the Department of Environmental Management on the investment of the fund and other related matters; to create an incentive program through a two year grace period to encourage the reporting and clean up of leaking underground storage tanks; to establish and satisfy financial responsibility requirements for underground storage tank owners as required by federal law, and to provide for payment of third party claims and clean-up costs caused by leaking underground storage tanks.

The legislature of the State of Alabama finds and declares that certain lands of Alabama constitute unique and delicately balanced resources; that the protection of these resources is vital to the economy of this state; and that the preservation of groundwater is a matter of the highest urgency and priority as these waters provide a primary source of potable water in this state; that such use can only be served effectively by maintaining the quality of groundwater in as close to a pristine condition as possible, taking into account multiple use accommodations necessary to provide the broadest possible promotion of public and private interests.

The legislature further finds and declares that the storage and transportation of motor fuels within the jurisdiction of this state poses threats of damage to the environment of the state, to citizens of the state, and to other interests deriving livelihood from the state; and that such hazards have occurred in the past, are now occurring, and will continue to occur. Discharges from underground tanks pose a significant threat to the quality of ground waters of this state.

The legislature further finds that where contamination of groundwater has occurred, remedial measures have often been delayed for long periods while determinations as to liability and the extent of liability are made; that such delays result in the continuation and intensification of the threat to the public health, safety, and welfare, in greater damages to the environment, and in significantly higher costs to contain and remove the contamination; and that adequate financial resources must be readily available to provide for the expeditious supply of safe and reliable alternative sources of potable water to affected persons and to provide a means for investigation and clean-up at contamination sites without delay, and such state interests outweigh any economic burdens imposed by the legislature upon those engaged in storing and transportation of motor fuels and related activities.

The legislature intends for this Act to provide evidence of financial responsibility under the Superfund Amendments and Reauthorization Act of 1986 and other federal laws.

was taken up.

On motion of Senator Foshee, further consideration of the Bill, S. B. 472, was postponed subject to the call of the Chair.

#### FURTHER CONSIDERATION OF S. B. 65, AS AMENDED

The Senate proceeded to further consideration of the Bill, S. B. 65, as amended.

Senator Ellis offered the following amendment to the Bill, S. B. 65, as amended, to-wit:

#### AMENDMENT TO S. B. 65, AS AMENDED

Amend Senate Bill No. 65, as amended, Page 2 Line 26, by inserting after the word "Resources" the following sentence:

Provided, however, that it shall be lawful for a non-resident of the State of Alabama to procure a valid hunting license of the type specified herein if he or she shall first produce a currently valid hunting license authorizing such person to hunt legally in the state or county of his residence.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Langford
Amari	Campbell	Figures	Menton
Bailey	Corbett	Foshee	Parsons
Bedford	Covington	Goodwin	Rice
Bedsole	Dial	Hale	Smith (B)
Bishop	Dixon	Holmes	

—22

Nays:

—0

And said Bill, S. B. 65, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Manley	
Amari	Campbell	Goodwin	Menton	
Bailey	Covington	Hale	Rice	
Bedford	Dial	Hilliard	Sanders	
Bedsole	Dixon	Holmes	Smith (B)	
Bishop	Ellis	Langford	Smith (J)	—23

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Campbell, B. I. R., S. B. 554, adopted.

Yeas 16; Nays 3.

Yeas:

Senators:	Covington	Hale	Menton	
Bailey	Ellis	Hilliard	Preuitt	
Bennett	Figures	Holmes	Rice	
Cabaniss	Goodwin	Manley	Smith (B)	
Campbell				—16

Nays:

Senators:	Amari	Corbett	Parsons	—3
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**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 554. To provide that no commercial enterprise or activity shall be maintained, constructed, or located within the right-of-way limits of any highway or bridge on the state highway system whether temporary or permanent, stationary or portable, except utility structures authorized by permit issued by the state highway department; to further provide the penalty for violations.

was taken up.

On motion of Senator Bishop, further consideration of the Bill, S. B. 554, was postponed temporarily.

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., H. B. 184, adopted.

Yeas 17; Nays 1.

Yeas:

Senators:	Cabaniss	Hale	Menton	
Bedford	Covington	Hilliard	Preuitt	
Bedsole	Dixon	Holmes	Rice	
Bennett	Ellis	Manley	Smith (B)	
Bishop	Goodwin			—17

Nay: Senator Amari

—1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 184. To amend Sections 12-19-71, 12-19-72, 12-19-73, 12-19-74, 12-19-75, 12-19-171, 12-19-172, 12-19-173, 12-19-174, 12-19-175, 12-19-176, 12-19-178, 12-19-179 and 12-14-14, Code of Alabama 1975, to increase the fees and costs in circuit, district, and municipal courts; to further provide for the distribution of fees and costs in circuit, district and municipal courts so as to enhance that portion of the fees and costs that are distributed to the state general fund, to the various county general funds, and to municipalities; to further provide for the costs assessed in municipal courts; to provide for the appropriation from the State General Fund of the increase in said fees and costs that are distributed to the State General Fund; to repeal all laws or parts of laws in conflict herewith; and to provide for the effective date of this Act.

was taken up.

On motion of Senator Manley, further consideration of the Bill, H. B. 184, was postponed temporarily.

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 48, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Menton
Bailey	Covington	Hale	Preuitt
Barron	Ellis	Holmes	Rice
Bedsole	Figures	Horn	Smith (B)
Bishop	Foshee	Langford	Smith (J)
Cabaniss			

—20

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 48. To establish the venue for all civil actions for damages for personal injury, death or property damage filed against a county or against a municipality.

was taken up.

On motion of Senator Corbett, further consideration of the Bill, H. B. 48, was postponed temporarily.

**BUDGET ISOLATION RESOLUTION**

Senator Parsons, B. I. R., S. B. 430, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	deGraffenried	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 430. To amend further Section 10 of Act No. 497, Regular Session of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, relating to a pension system for officers and employees of Jefferson County, Alabama, so as to increase the benefit formula rate and to provide further for the retirement of certain members of the pension system.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	deGraffenried	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays:

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 209. To amend Section 40-17-31 (a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline and lubricating oil by city and county boards of education, private and parochial schools, the Alabama Institute for Deaf and Blind, Department of Youth Services School District and all other public institutions of higher learning shall be exempt from taxation under the levy provided for in Section 40-17-31 (a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975.



said Conference Report being in words and figures as follows:

**REPORT OF COMMITTEE ON CONFERENCE**

**HOUSE BILL 209**

We, the Committee on Conference appointed to reconcile the differences between the two Houses concerning House Bill 209, have met and considered the matter referred and beg leave to report as follows:

Said Conference Committee recommends attached House Bill 209.

Conferees on part of the Senate.

RICHARD S. MANLEY,  
E. CRUM FOSHEE,  
GERALD O. DIAL,

Conferees on part of the House.

TAYLOR F. HARPER,  
TOM DRAKE,  
CLAUD WALKER,

**CONFERENCE COMMITTEE REPORT TO HOUSE BILL 209**

SYNOPSIS: To amend Section 40-17-31 (a) and Section 40-17-171 and Section 40-17-220, Code of Alabama 1975, to provide for exemption from excise tax on gasoline and lubricating oil purchased by city and county boards of education, the Alabama Institute for Deaf and Blind, the Department of Youth Services School District and private and parochial schools.

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Section 40-17-31(a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline and lubricating oil by city and county boards of education, the Alabama Institute for Deaf and Blind, Department of Youth Services School District, and private and parochial schools shall be exempt from taxation under the levy provided for in Section 40-17-31(a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. 40-17-31 (a) Code of Alabama, 1975, is hereby amended to read as follows:

"Section 40-17-31. Levy and amount of tax; use of net proceeds; methods of allocation and distribution; distributor, dealer, etc., to add tax to price.

(a) Every distributor, refiner, retail dealer, storer or user of gasoline shall collect and pay over to the state department of revenue an excise tax of \$.07 per gallon upon the selling, use or consumption, distributing, storing or withdrawing from storage in this state for any use of gasoline as defined or otherwise referred to in this article, except gasoline sold for use as fuel to propel aircraft and which gasoline is subject to the tax imposed in subsection (d) of this section; and except gasoline sold for use by city and county boards of education, the Alabama Institute for Deaf and Blind, the Department of Youth Services School District, and private and parochial

schools; provided that where any excise tax imposed by this section upon the sale, use or consumption, distribution, storage, withdrawal from storage in this state of such gasoline shall have been paid to the state by a distributor, refiner or by any retail dealer, storer or user, such payments shall be sufficient, the intent being that the tax shall be paid to the state but once."

Section 2. Section 40-17-171. Code of Alabama, 1975, is hereby amended as follows:

"Section 40-17-171. Levy; amount; certificates of exemption.

Every distributor, manufacturer, retail dealer or storer of lubricating oil, as herein defined, shall pay an excise tax of \$.02 per gallon upon the selling, distributing or withdrawing from storage in this state for any use lubricating oil as herein defined; provided, that this excise tax shall neither be levied upon the sale of lubricating oil in interstate commerce nor upon any sale of lubricating oil destined for out-of-state use which is transacted in a manner whereby an out-of-state purchaser takes delivery of such oil at a distributor's plant within this state and transports it out-of-state; and provided further that this excise tax shall not be levied on lubricating oil sold to city and county boards of education, the Alabama Institute for Deaf and Blind, the Department of Youth Services School District, and private and parochial schools; and provided further that where the excise tax of \$.02 per gallon upon the sale of such lubricating oil shall have been paid by a distributor, manufacturer, retail dealer or storer, such payment shall be paid but one time by any person so liable. The state department of revenue is hereby authorized to issue to the United States certificates of exemption, upon forms prescribed by the department, for use by the United States in purchasing lubricating oil within the state of Alabama and which is paid for by the United States. Any person in reporting and paying such tax to the department may deduct the number of gallons of lubricating oil sold to the United States, as shown by such certificates of exemption duly executed by the United States and filed with such report; and the department is authorized to adopt rules and regulations with respect to the issuance and use of such certificates."

Section 3. Section 40-17-220 Code of Alabama, 1975, is hereby amended to read as follows:

Section 40-17-220. Levy of tax; collection and remittance; United States certificates of exemption; exemptions from article.

(a) There is hereby levied in addition to all other taxes of every kind now imposed by law an excise tax on gasoline, motor fuel and lubricating oil of \$.04 per gallon, which shall be collected as herein provided.

(b) Every manufacturer, distributor, refiner, retail dealer, storer or user of gasoline, motor fuel or lubricating oil shall collect and pay over to the state department of revenue an excise tax of \$.04 per gallon upon the selling, use or consumption, distributing, storing or withdrawing from storage in this state for any use of gasoline, motor fuel or lubricating oil as defined or otherwise referred to in this article, except gasoline, motor fuel and lubricating oil expressly exempted by the provisions of this article. Provided, that where any excise tax imposed by this section upon the sale, use or consumption, distribution, storage or withdrawal from storage in this state of such gasoline, motor fuel or lubricating oil shall have been paid to the state by a manufacturer, distributor, refiner or by any retail dealer, storer or user, such payments shall be sufficient, the intent being that the tax shall be paid to the state but once.

(c) The state department of revenue is hereby authorized to issue to the United States certificates of exemption, upon forms prescribed by the department, for use by the United States in purchasing gasoline, motor fuel or lubricating oil taxed by this section within the state of Alabama and which is paid for by the United States. Any person in reporting and paying the tax to the department may deduct the number of gallons of such products taxed by this section sold to the United States, as shown by such certificate of exemption duly executed by the United States and filed with such report, and the department is authorized to adopt rules and regulations with respect to the issuance and use of such certificates.

(d) The following are expressly exempted from the provisions of this article:

- (1) Gasoline and other fuel used to propel aircraft powered by reciprocating engines, any fuel used to propel aircraft powered by jet or turbine engines and lubricating oil used in such aircraft;
- (2) Gasoline and motor fuel used to propel ships, vessels, barges, railroad locomotives, other railroad equipment, and lubricating oil used in ships, vessels, barges, railroad locomotives and other railroad equipment;
- (3) Gasoline, motor fuel and lubricating oil sold to be used for agricultural purposes;
- (4) Gasoline, motor fuel and lubricating oil sold to governing bodies of counties and incorporated municipalities;
- (5) Gasoline, motor fuel and lubricating oil sold to be used in off-road vehicles which presently do not require state licensing; specifically, but not limited to, forklifts and other like devices not for use on the streets and highways of this state; and
- (6) Gasoline, motor fuel and lubricating oil sold to city and county boards of education; and
- (7) Gasoline, motor fuel and lubricating oil sold to private and parochial school systems."

Section 4. All laws or parts of laws in conflict herewith are hereby repealed.

Section 5. This Act shall become effective on October 1, 1989 following its passage and approval by the Governor, or upon its otherwise becoming a law.

And said Bill, H. B. 209, as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, H. B. 209, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE AND CONFERENCE MESSAGE

On motion of Senator Manley, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B.

209, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Menton
Amari	Campbell	Hale	Parsons
Barron	Covington	Hilliard	Rice
Bedsole	deGraffenried	Holmes	Smith (B)
Bennett	Dixon	Langford	Smith (J)
Bishop	Foshee	Manley	

—22

*Nays:*

—0

**COMMUNICATION FROM THE SUPREME COURT  
THE STATE OF ALABAMA—JUDICIAL DEPARTMENT  
THE SUPREME COURT OF ALABAMA  
OCTOBER TERM 1986-87**

**Opinion of the Justices No. 323**

To the Members of the Senate  
State House  
Montgomery, Alabama

Dear Senators:

We are in receipt of Senate Resolution 114, by which you have requested an advisory opinion on the constitutionality of H. B. 269, an appropriation bill now pending before the legislature. The bill would provide appropriations for public educational purposes generally and, more specifically, for the elementary and secondary schools of this state; for junior and technical colleges; for colleges and universities; for various other state agencies; and for entities which are not state agencies, but some of which at least arguably serve educational purposes. The constitutional provisions at issue are § 45, which requires that bills, except for general appropriation bills, contain only one subject; § 71, which restricts the contents of general appropriation bills; and § 73, which requires that appropriations to charitable and educational institutions not controlled by the state be passed by a vote of two-thirds of the members of each house.

Senate Resolution 114 reads as follows:

“BE IT RESOLVED BY THE SENATE OF THE ALABAMA LEGISLATURE, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions on the following important constitutional question which has arisen concerning the pending bill, H. B. 269, a copy of which is attached to this resolution and made a part hereof by reference.

“House Bill 269 as amended and substituted by the House of Representatives and as now pending in the Senate contains a title which states: ‘To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1988.’ House Bill 269 also appropriates funds to among other entities ‘non-state educational agencies’ and certain postsecondary universities.

"1. Is House Bill 269 a general appropriation bill as said term is used in Section 45 of the Constitution of 1901 and therefore excepted from the provisions of Section 45 requiring that 'each law shall contain but one subject, which shall be clearly expressed in its title'?"

"2. If House Bill 269 is not excepted from the purview of Section 45, does House Bill 269 violate the provision of Section 45 which requires that 'each law shall contain but one subject, which shall be clearly expressed in its title'?"

"3. Does House Bill 269 violate Section 71 of the Constitution of 1901 which requires that all appropriations, other than appropriations in the general appropriation bill, shall be made by separate bills, each embracing but one subject?"

"4. Does Section 73 of the constitution of 1901 require that House Bill 269 receive a vote of 2/3 of all members elected to each house?"

"5. If House Bill 269 violates Section 45 or Section 71 of the Constitution of 1901, is that portion of the bill in violation of said sections severable from the remainder of the bill?"

"RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send sufficient true copies of the pending bill, H. B. 269, to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this resolution."

The cited constitutional sections read in pertinent part:

"Sec. 45. Style of law; division of laws; laws restricted to one subject; amendment or revival of laws by title only.

" . . . Each law shall contain but one subject, which shall be clearly expressed in its title, except general appropriation bills, general revenue bills, and bills adopting a code, digest, or revision of statutes."

"Sec. 71. Restrictions on general appropriation bill.

"The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative, and judicial departments of the state, for interest on the public debt, and for the public schools. . . All other appropriations shall be made by separate bills, each embracing but one subject."

"Sec. 73. Appropriations to charitable or educational institutions not under absolute control of state.

"No appropriation shall be made to any charitable or educational institution not under the absolute control of the state, other than normal schools established by law for the professional training of teachers for the public schools of the state, except by a vote of two-thirds of all the members elected to each house."

The first question asks whether the bill is a general appropriation bill. The question might be construed to assume that "The" general appropriation bill described in sections 45 and 71 may be split into two parts, one providing for the ordinary expenses of the executive, legislative, and judicial departments, and the other providing for the public schools. This assumption fails, and the question must be answered in the negative, both because there is no authority for the bifurcation of the general appropriation bill (as we shall

explain below) and because "public schools," as used in these sections of the Constitution, includes only elementary and secondary schools.

A brief review of the latter point will suffice to answer this first question. On at least three occasions, this Court has addressed the meaning of the term "public schools" as used in the Constitution of 1901 and the substantially identical predecessor provisions in the Constitution of 1875, and has answered on all three occasions that the term includes only the old common schools, which have since developed into the elementary and secondary schools.

"The phrase 'the public schools,' as used in § 71, does not include universities or colleges. 'Public schools' are those schools formerly referred to as 'common schools,' schools which are provided for in §§ 256-260 of the Constitution. . . These schools are for the benefit of children between the ages of seven and twenty-one years, encompassing, in common terminology, grammar schools and high schools. Adults are not a part of the constitutional 'public school' system. State Tax Comm'n v. County Bd. of Education, 285 Ala. 388, 179 So. 197 (1938).

"The appropriation made in [the 1978 education appropriation bill], not being an appropriation for 'public schools' as that term has been defined, is not an appropriation authorized by § 71 to be made in a general appropriation bill, but is an appropriation falling under that part of § 71 which states: 'All other appropriations shall be made by separate bills, each embracing but one subject.' The requirements of this section and § 45 are met if the act has one general subject which is contained in its title."

Alabama Education Ass'n v. Bd. of Trustees of the Univ. of Alabama, 374 So. 2d 258, 261 (Ala. 1979) (citations omitted); Opinion of the Justices No. 31, 229 Ala. 98, 155 So. 699 (1934); Elsberry v. Seay, 83 Ala. 614, 3 So. 804 (1888). Therefore, since H. B. 269 includes technical schools, junior colleges, and universities, it cannot be a general appropriation bill, and so it is governed by the single subject requirements of §§ 45 and 71 and the clear title requirement of § 45.

This conclusion brings us to question number two of the advisory opinion request. Does H. B. 269 contain only one subject, clearly reflected in the title? If it does, this subject must be "appropriations for public education." Admittedly, such a "single subject" would be a very broad one. "A statute has but one subject, no matter how many different matters it relates to, if they are all cognate, and but different branches of the same subject." Yielding v. State, 232 Ala. 292, 296, 167 So. 580, 583 (1936); Opinion of the Justices No. 216, 294 Ala. 571, 319 So. 2d 699 (1975); Opinion of the Justices No. 174, 275 Ala. 254, 154 So. 2d 12 (1963).

How can we say, however, that "public education" is a single subject for an appropriation bill which is not a general appropriation bill, when "public schools" and "universities" are different subjects for the purpose of a general appropriation bill? Furthermore, there are many appropriations in H. B. 269 which fall under neither of these two categories. One subsection of the bill is labelled "financial assistance to non-state educational agencies." Under the general heading "state agencies," which encompasses the appropriations for public schools, there are appropriations to other state agencies that have varying degrees of connection to public schools in particular or public education in general.

In attempting to resolve this question of whether an education appropriation bill embraces only one subject, we have researched the history of

appropriations in this state, at least since the adoption of the Constitution of 1875. Because we find this history very enlightening on the subject, we shall set it forth in some detail here.

The delegates to the Constitutional Convention of 1901 copied article IV, § 2, of the Constitution of 1875 into § 45 of the new constitution; article IV, § 32 into § 71; and article IV, § 34 into § 73, with additions not material here; the above-quoted provisions of the Constitution of 1901 (other than the headings) read almost exactly the same as they did in the Constitution of 1875. For at least the twenty years prior to 1901, the legislature had enacted a simple, five-page general appropriation bill, which always made two appropriations to the public schools: one from the interest on the sixteenth section fund<sup>1</sup> and similar smaller funds, together with the 3-mill property tax revenues (we shall refer to these funds as "the constitutional revenue funds," see Const. 1901, art. XIV, §§ 256-260), and one from general revenues. Occasional additional appropriations of general revenues were made, either in the same section of the same bill<sup>2</sup> or in a single-subject additional appropriation bill.<sup>3</sup>

This background emphasizes that "the general appropriation bill" and "public schools" would have had specific meanings to the delegates to the Constitutional Convention of 1901. How then did we progress to the point where a separate education appropriation bill is much greater than the general appropriation bill and the general appropriation bill no longer appropriates money for the public schools?

The process began immediately after the Constitution of 1901 was adopted. The 1903 general appropriation bill followed the same pattern as the prior ones, but the only appropriation therein to the public schools was from the constitutional revenue funds. Acts 1903, Act No. 31, § 37. Act No. 414 appropriated \$550,000 in general revenues for the public schools. Incidentally, Act No. 104 constituted the Board of Trustees of the University of Alabama as a body corporate (see also Const. 1901, art. XIV, § 264) and appropriated the interest on the University fund thereto. This pattern was followed at the next two quadrennial sessions. Acts 1907, Act No. 24, § 34; Act No. 201; Act No. 335 (additional appropriation to the University). Acts 1911, Act No. 194, § 80; Act No. 418.

In 1915, there appear to have been two general appropriation bills: Act No. 125 and Act No. 816. Only the latter, in § 4(13), appropriates money from the constitutional revenue funds. We find no appropriation to the public

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<sup>1</sup> In admitting Alabama to the union, the United States set aside the sixteenth section of each township for the public schools. 3 U. S. Stats. at Large 489, § 6. Without examining the details of the appropriation entitled "interest for sixteenth section funds..." we note that it "shall be applied to the ... public schools," Const. of 1901, § 260; Const. of 1875, art. XIII, § 5, and that it continues to the present day. 1986 Ala. Acts No. 86-622, § 3.A.6.; H. B. 269, § 3.A.5.

<sup>2</sup> For example, Acts 1888-89, Act No. 21, § 37, reads: "For the support of the public schools, two hundred and fifty thousand dollars for each year, and one hundred thousand dollars additional for each year for the two years ending 30th of September, 1890, and 30th of September, 1891; in all seven hundred thousand dollars."

<sup>3</sup> For example, Acts 1882-83, Act No. 26, § 37, appropriates \$130,000 per year to the public schools, and Act No. 59 appropriates an additional \$100,000 for 1884 and 1885.

schools from general revenues in the 1915 Acts, but we note that Acts 1911, Act No. 418, amended Code 1907, chap. 41, art. 1, § 1678(7); presumably this appropriation continued in force by operation of the Code.

From 1882 to 1915, the appropriation from the constitutional revenue funds grew from \$145,000 per year to \$175,000 per year, and this remained in the general appropriation bill. In the same period, the appropriation from general revenues rose from \$230,000 per year to \$600,000 per year, and this appropriation was taken out of the general appropriation bill.

In 1919, the legislature enacted Act No. 442, "To provide a complete educational system for the State of Alabama," with that title continuing for two pages of small print. The act itself covers 109 pages. This act covers as broad a range as the "appropriation for education" bill now before us, and tends to show that this topic became a single subject at that time. The Act itself is not sufficient authority to reach our answer, however, because it became the Public School Code of 1919 and thus falls outside the single subject requirement of § 45 by being an act adopting a code. Act 442 furthermore cannot be considered to make "education appropriations" a single subject, because it states in art. 45, § 4, that nothing therein "shall be construed so as to make any appropriation," and because the legislature in 1919 passed a multitude of single-subject education appropriation bills. See, e. g., Acts No. 531 through No. 549.

One thing Act No. 442 did do, and the first thing it did, was to create the Public School Fund and to specify what items should be appropriated into it. In 1923 piecemeal education appropriations were again made.

In 1927, the first of the modern education appropriations were made. Act No. 10 appropriated \$600,000 to provide a minimum school term of seven months in each county. The general revenue bill, Act No. 163, created (§ 2-K) and appropriated money to (§ 2) the Alabama Special Educational Trust Fund. Act No. 382 was the first omnibus bill: § 1 created the "Equalization Fund" and appropriated \$900,000 per year thereto "for the equalization of educational opportunity in the public schools"; § 2 created and appropriated \$800,000 per year to the Attendance Fund; § 3 appropriated \$300,000 for rural school libraries; §§ 4 and 5 appropriated various sums to normal schools; § 6, the rural schoolhouse building fund; § 7, the illiteracy fund; § 8, vocational education; § 9, high schools; § 10, the School of Trades and Industries; § 11 created the Revolving Fund for the use of the State Board of Education; § 12, the state colleges and universities; and so forth.

Act No. 584 in 1927 is that year's version of the historic general appropriation bill, and it does not appropriate to either public schools or the legislature. In later years, however, the constitutional revenue funds and, in some years, general revenues reappear as appropriations to the Public School Fund in the general appropriation bill. See, e. g., Gen. Acts 1935, Act No. 373, § 1.XI; Gen. Acts 1939, Act No. 247, § 1.XI; Gen. Acts 1949, Act No. 522, § 1.VII; Acts 1967, Act No. 256, § 2.III.F.(32); Acts 1976, Act No. 763, § 2.VI.A.(45). During this period, the general appropriation bill became the detailed, extensive bill of modern times. From the earliest times, these bills have borne simple titles like, "To make appropriations for the ordinary expenses of the executive, legislative, and judicial departments of the state, for interest on the public debt, and for the public schools," that is, they have tracked the language of § 71.

Throughout this period of time, each successive legislature has passed a bill "to make annual appropriations for the support, maintenance and



development of public education in Alabama and for debt service and capital improvements." Gen. Acts 1935, Act No. 326; Gen. Acts 1949, Act No. 563; Acts 1967, Act No. 383; Acts 1976, Act No. 197; Acts 1986, Act No. 86-622. The bill before us contains such a title. In 1977, the last vestige of appropriation for the public schools in the general appropriation bill disappeared when the appropriations from the Public School Fund were deleted from that bill and included in the annual education appropriation bill. Acts 1977, Act No. 636; Act No. 637, § 13B. The legislature continued to add "public schools," however, to the title of the general appropriation bill until 1982, even though no funds had been appropriated therein for public schools for some time.

This is a rough overview of the development of the appropriations bills in this state, and the pressures of time prevent us from insuring the accuracy of every detail. The general picture emerges, however, that "appropriations for public education" has been treated as a single subject since about 1927, and throughout that time the education appropriation bill has had such a consistent content as to define that single subject. These appropriations have been made in this way for so long that neither legislators nor the public could fail to be put on notice of the content of the education appropriation bill. Therefore, we are of the opinion that the title of H. B. 269 adequately expresses the single subject of the bill, but that the bill itself is infirm at least to the extent that it includes "non-state agencies." To the extent that the bill complies with § 45, it also complies with the single subject requirement of § 71. See Opinion of the Justices No. 174, 275 Ala. 254, 154 So. 2d 12 (1963).

The purposes of § 45 are "(a) notification to the public of the nature of the pending legislation; (b) avoidance of fraud on the legislature by inadvertent passage of provisions not related to the title; and (c) prevention of logrolling legislation," Opinion of the Justices No. 215, 294 Ala. 555, at 564, 319 So. 2d 682, 691-92 (1975) (citations omitted). The appropriations to state agencies must come within the subject of public education. We cannot test the specific appropriations in the bill, however, because the bill in most cases gives only general descriptions of the recipients. For example, an appropriation to the department of public health for immunizations of school children and for public school food sanitation probably comes within the subject, but a decision would have to wait for a contested case.

The "non-state agencies" given financial assistance in H. B. 269 do not come within the historical "education appropriation" subject. The first such instance of appropriating money other than to state agencies that we have found, without examining each bill in detail, occurred in Acts 1975, Act No. 129, in which \$100,000 was appropriated to the Birmingham Symphony Association, Inc. In 1977 the format of the appropriation bill was completely changed, and five appropriations to "non-state agencies" were made. Acts 1977, Act No. 637. The same format is used to this day, and the number of non-state agencies receiving funds has risen to 11. Not only are these agencies not within the subject of "public education" for which appropriations may be made in this education appropriation bill, but they must also be considered a separate subject or subjects because § 73 further distinguishes "non-state agency appropriations" from appropriations to state educational agencies. These items must be passed in a separate bill or bills that would require a two-thirds vote for passage and must comply with § 45. Therefore, we are of the opinion that the "non-state agency" appropriations violate §§ 73 and 45 and that these provisions should be eliminated from the bill.

We believe the above answers the questions propounded. We observe as a general matter that advisory opinions are not binding in a litigated case. Opinion of the Justices No. 188, 280 Ala. 692, 198 So. 2d 269 (1967); Code 1975, § 12-2-10.

### QUESTIONS ANSWERED.

Respectfully submitted,

C. C. TORBERT, JR.,  
Chief Justice.

HUGH MADDOX,  
RICHARD L. JONES,  
RENEAU P. ALMON,  
JANIE L. SHORES,  
SAM A. BEATTY,  
OSCAR W. ADAMS, JR.,  
J. GORMAN HOUSTON, JR.,  
HENRY B. STEAGALL, II,  
Associate Justices.

### OPINION RENDERED

The foregoing Communication from the Supreme Court of Alabama was read and ordered spread upon the Journal.

### BUDGET ISOLATION RESOLUTION

Senator Goodwin, B. I. R., S. B. 499, adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Campbell	Hale	Menton	
Amari	deGraffenried	Hilliard	Rice	
Bennett	Dixon	Holmes	Smith (B)	
Bishop	Ellis	Langford	Smith (J)	
Cabaniss	Goodwin	Manley		—18

Nays:

—0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 499. To provide badges to survivors of peace officers killed in the line of duty and to provide retirement badges to officers disabled in line of duty.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

REGULAR SESSION  
22nd Day

1373

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Manley	
Amari	Corbett	Hale	Menton	
Bedsole	deGraffenried	Hilliard	Smith (B)	
Bennett	Dixon	Holmes	Smith (J)	
Bishop	Ellis	Langford		—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Smith (B), B. I. R., S. B. 392, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	deGraffenried	Hale	Manley	
Bedsole	Dixon	Hilliard	Menton	
Bishop	Ellis	Holmes	Smith (B)	
Cabaniss	Goodwin	Langford	Smith (J)	
Campbell				—16

*Nays:*

Senators:	Amari	Bennett	—2
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**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 392. To designate the Huntsville Depot as the Official Railway Museum of Alabama.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Manley	
Amari	Corbett	Hale	Menton	
Bennett	deGraffenried	Hilliard	Preuitt	
Bishop	Dixon	Holmes	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	—19

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Hilliard, B. I. R., H. B. 406, adopted.

Yeas 16; Nays 2.

Yeas:

Senators:	deGraffenried	Hale	Manley	
Bennett	Ellis	Hilliard	Menton	
Bishop	Foshee	Holmes	Preuitt	
Campbell	Goodwin	Langford	Smith (B)	
Covington				—16

Nays:

Senators:	Amari	Cabaniss	—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 406. Proposing an amendment to the Constitution to permit elected superintendents and any other officials not elected by a state wide ballot to participate in such state retirement plans that are established by law; to further provide that any member of the state retirement plan who is elected to a state wide office may continue such participation during his term of office.

was taken up.

Senator Hilliard offered the following substitute for the Bill, H. B. 406, to-wit:

**SUBSTITUTE FOR H. B. 406****A BILL  
TO BE ENTITLED  
AN ACT**

Proposing an amendment to the Constitution to permit elected superintendents and other public officials including officials elected by statewide ballot to participate in such retirement plans that are established by law; to further provide that any member of the state retirement plan who is elected to a statewide office may continue such participation during his term of office.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

**PROPOSED AMENDMENT**

Elected superintendents of education and other public officials including those elected by a statewide ballot may be covered under such retirement plans that are established by law and which such officials are eligible for coverage by statute. Any member of a statewide retirement plan who is elected to statewide office may continue his membership in such retirement plan during his term of office.

Section 2. An election upon the proposed amendment is ordered to be held at the next general election or at the next special or primary election

**REGULAR SESSION**  
**22nd Day**

1375

after the expiration of three months from the final adjournment of the current session of the legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama, 1975.

Section 3. Notice of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in each county of the state. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

Which was adopted.

Yeas 19; Nays 3.

*Yeas:*

Senators:	Campbell	Goodwin	Manley	
Amari	Covington	Hale	Menton	
Bedsole	Ellis	Hilliard	Parsons	
Bennett	Figures	Holmes	Smith (B)	
Bishop	Foshee	Langford	Smith (J)	—19

*Nays:*

Senators:	Cabaniss	deGraffenried	Dixon	—3
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And said Bill, H. B. 406, as thus amended by the substitute, was read a third time at length as required by the Constitution and lost.

Yeas 0; Nays 25.

*Yeas:* —0

*Nays:*

Senators:	Campbell	Foshee	Manley	
Amari	Corbett	Goodwin	Menton	
Bailey	Covington	Hale	Parsons	
Bedsole	deGraffenried	Hilliard	Preuitt	
Bennett	Dixon	Holmes	Rice	
Bishop	Ellis	Langford	Smith (B)	
Cabaniss	Figures			—25

Senator Hilliard moved that the Senate reconsider the vote by which the Bill, H. B. 406, as amended, was lost, and further moved that his motion to reconsider be postponed temporarily, which motion was adopted.

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., S. B. 229, adopted.

Yeas 16; Nays 2.

Yeas:

Sensors:	Ellis	Holmes	Menton
Bailey	Goodwin	Horn	Preuitt
Bishop	Hale	Langford	Smith (B)
Covington	Hilliard	Manley	Smith (J)
deGraffenried			

—16

Nays:

Sensors:	Corbett	Parsons	
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—2

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 229. To amend further Section 40-12-240 of the Code of Alabama 1975, relating to motor vehicle licenses, so as to define further the term "private passenger automobile"; to provide for the effective date.

was taken up.

On motion of Senator Corbett, further consideration of the Bill, S. B. 229, was postponed temporarily.

**BUDGET ISOLATION RESOLUTION**

Senator Holmes, B. I. R., S. B. 318, adopted.

Yeas 20; Nays 1.

Yeas:

Sensors:	deGraffenried	Goodwin	Manley
Bailey	Dixon	Hale	Menton
Bedsole	Ellis	Hilliard	Rice
Bennett	Figures	Holmes	Smith (B)
Campbell	Foshee	Langford	Smith (J)
Covington			

—20

Nay: Senator Amari

—1

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 318. To amend Sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which sections provide for the regulation of fireworks in Alabama, so as to provide further for such regulation.

was taken up.

The Standing Committee on Small Business reported the following substitute for the Bill, S. B. 318, to-wit:

**SUBSTITUTE FOR S. B. 318****A BILL  
TO BE ENTITLED  
AN ACT**

To amend Sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which sections provide

REGULAR SESSION  
22nd Day

1377

for the regulation of fireworks in Alabama, so as to provide further for such regulation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 8-17-210, Code of Alabama 1975, is hereby amended to read as follows:

"As used in this Article, the following terms shall have the meanings ascribed to them in this section, unless clearly indicated otherwise:

"(1) Distributor. Any person engaged in the business of making sales of fireworks ~~to a bona fide wholesaler for resale to all holders of the required Alabama permits who in turn shall resell to any permit holder; or any person who receives, brings, or imports any fireworks of any kind into the state of Alabama, except to a holder of an Alabama Manufacturer's or Distributor's permit.~~

"(2) D.O.T. Class C Common Fireworks. All articles of fireworks as are now or hereafter classified as D.O.T. Class C Common Fireworks in the regulations of the U.S. Department of Transportation for the transportation of explosive and other dangerous articles.

"(3) Manufacturer. Any person engaged in the making, manufacture or construction of fireworks of any kind within the state of Alabama.

"(4) Permit. The written authority of the state fire marshal issued under the authority of this Article.

"(5) Person. Includes any corporation, association, copartnership or one or more individuals.

"(6) Retailer. Any person engaged in the business of making sales of fireworks to consumers within the state of Alabama during a calendar year from January 1 through December 31.

"(7) Sale. An exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as principal proprietor, salesman, agent, association, copartnership or one or more individuals.

"(8) Fireworks Seasons. The dates of June 20 through July 10 and December 15 through January 2 of each year shall be the only periods when seasonal retailers may sell fireworks.

"(9) Seasonal Retailer. Any person engaged in the business of making sales of fireworks to consumers within the state of Alabama during the fireworks season(s) only, from permanent buildings or temporary or moveable stands.

"(8) (10) Special Fireworks. All articles of fireworks that are classified as Class B explosives in the regulations of the U. S. Department of Transportation regulations, including all articles classified as fireworks other than those classified as Class C.

"(9) (11) Wholesaler. Any person engaged in the business of making sales of fireworks to any other person engaged in the business of making sales at seasonal retail.

Section 2. Section 8-17-211, Code of Alabama, 1975, is hereby amended to read as follows:

“(a) It shall be unlawful for any person to manufacture, sell, offer for sale, ship or cause to be shipped into or within the state of Alabama, except as herein provided, any item of fireworks, without first having secured the required applicable permit, as a manufacturer, distributor, wholesaler, retailer, or seasonal retailer, from the state fire marshal, possession of said permit being hereby made a condition prerequisite to manufacturing, selling or offering for sale, shipping or causing to be shipped any fireworks into or within the state of Alabama, except as herein provided. This provision applies to nonresidents as well as residents of the state of Alabama. Mail orders where consumers purchase any fireworks through the mail or receive any fireworks in Alabama by mail, parcel service, or other carrier are prohibited. A sales clerk must be on duty to serve consumers at the time of purchase or delivery. All fireworks sold and delivered to consumers within the state of Alabama must take place within the state of Alabama and be sold and delivered only by an individual, firm, partnership or corporation holding the proper Alabama fireworks permit and all fireworks coming into the state, manufactured, sold or stored within the state shall be under the supervision of the state fire marshal as provided for in this article.

“(b) Prior to engaging in the manufacture or sale within the state of Alabama, or shipment into the state of Alabama, of any fireworks, each person making shipment or delivery or receiving any fireworks into or within the state of Alabama, must make application on forms secured from the state fire marshal for a permit or permits required under this article for each location at which fireworks are to be offered for sale.

“(c) A manufacturer's permit issued under this article shall be subject to rules and regulations promulgated by the state fire marshal to govern the manufacture of fireworks as in his judgment the public welfare may require.

“(d) The decision of the state fire marshal as to what type of permit or permits shall be required of each person shall be final. The state fire marshal may deny a permit to an applicant or revoke a permit if he has knowledge or reason to believe the safety standards and conditions of this act are not or can not be met by the applicant. No permit shall be issued to a person under the age of 18 years. All permits shall be for the calendar year or any fraction thereof and shall expire on December 31 of each year two days of grace shall be allowed holders of permits after expiration thereof. Only one seasonal retailer permit shall be required for a full calendar year and it shall be valid for both fireworks seasons, provided that the building is not moved from the location where it was originally permitted and no substantial structural or environmental changes have occurred. A seasonal retailer permit may be issued after July 8th for the remaining fireworks season of that calendar year. All permits issued to retailers must be displayed in their place of business. No permit provided for herein shall be transferable nor shall a person be permitted to operate under a permit issued to any other person or under a permit issued for another location, unless transfer shall have been approved by the state fire marshal.

“(e) The state fire marshal is authorized and directed to charge for permits issued as follows:

“(1) Manufacturer, ~~\$750.00~~ \$1,000.00;

“(2) Distributor, ~~\$750.00~~ \$1,000.00;



REGULAR SESSION  
22nd Day

1379

“(3) Wholesaler, ~~\$250.00~~ \$350.00;

“(4) Retailer, ~~\$25.00~~ \$350.00;

“(5) Seasonal Retailer \$100.00;

“(6) Seasonal Retailer after July 10 \$50.00;

“(5) (7) Display ~~\$1.00~~ \$25.00;

“(f) Only holders of a retailer or seasonal retailer permit will be authorized to engage in the retail sale of permitted items as defined in section 8-17-217, in any quantity, to consumers.

“(g) A holder of a manufacturer's permit will not be required to have any additional permit or permits in order to sell to distributors, wholesalers, retailers or seasonal retailers.

“(h) A record of all sales by manufacturers, distributors or wholesalers must be kept showing the names and addresses of purchasers. All fees collected for said permits shall be paid into the fire marshal revolving fund for the enforcement of this article. The state fire marshal may designate a deputy fire marshal as the “fireworks enforcement officer” who shall have the responsibility of directing enforcement of the state fireworks laws.

“(i) The state fire marshal is charged with the enforcement of this article and may call upon any state or county or city peace officer for assistance in the enforcement of this article. The fire marshal is not authorized to promulgate rules or regulations in conflict with or that go beyond the scope or intent of this article.

Section 3. Section 8-17-217, Code of Alabama 1975, is hereby amended to read as follows:

“(a) It shall be unlawful for an individual, firm, partnership or corporation to possess, sell or use within the state of Alabama, or ship into the state of Alabama, except as provided in section 8-17-216, any pyrotechnics commonly known as “fireworks” other than items now or hereafter classified as Class C Common Fireworks by the U. S. Department of Transportation and/or those items that comply with the construction, chemical composition, and labeling regulations promulgated by the U. S. Consumer Product Safety Commission and permitted for use by the general public under their regulations.

“(b) Permitted items designed to produce an audible effect are confined to small ground items which include firecrackers ~~not over one and one half inches in length and one fourth inch in diameter and~~ containing not over 50 milligrams of explosive composition and aerial devices containing not over 130 milligrams of explosive composition. Propelling or expelling charge consisting of a mixture of charcoal, sulfur and potassium nitrate are not considered as designed to produce an audible effect.

“(c) Items permitted and for which a permit is required shall include related items not classified by the United States Department of Transportation as common fireworks, but identified under their regulations as trick noisemakers, toy novelties, toy smoke devices and sparklers and shall include toy snakes, snappers, auto burglar alarms, smoke balls, smoke novelty items and wire sparklers containing not over 100 grams composition per item. Sparklers containing any chlorate or perchlorate salts may not exceed five grams of composition per item.”

Section 4. Section 8-17-218, Code of Alabama 1975, is hereby amended to read as follows:

"All items of ~~special Class B commercial type ground salutes commonly known as cherry bombs and various tubular salutes which exceed the limits of permitted Class C items as to size and/or explosive composition designed to produce an audible effect referred to in section 8-17-217 fireworks which exceed the 2 grain limit of D.O.T. Class C common fireworks as to explosive composition, such items being commonly referred to as "illegal ground salutes" designed to produce an audible effect, are expressly prohibited from shipment into, manufacture, possession, sale and use within the state of Alabama for any purpose. This subsection shall not affect display fireworks authorized by this article.~~"

Section 5. Section 8-17-221, Code of Alabama 1975 is hereby amended to read as follows:

"(a) Placing, storing, locating or displaying of fireworks in any window where the sun may shine through glass onto the fireworks so displayed or to permit the presence of lighted cigars, cigarettes or pipes within 10 feet of where the fireworks are offered for sale is hereby declared unlawful and prohibited. At all places where fireworks are stored or sold, there must be posted signs with the words "FIREWORKS—NO SMOKING" in letters not less than four inches high.

"(b) No fireworks shall be sold at retail at any permanent location where paints, oils or varnishes are for sale or use unless kept in the original unbroken containers, nor ~~within 50 feet of where resin, turpentine, gasoline or other inflammable substance which may generate inflammable vapors is used, stored or sold where gasoline or other flammable liquid or gas is used,~~ stored or sold, if the use, storage, or sale creates an undue hazard to person or property. No fireworks shall be sold at retail from any temporary or moveable stand where paints, oils, or varnishes are for sale or use unless kept in the original unbroken containers, nor within 50 feet of where gasoline or other flammable liquid or gas is used, stored or sold.

"(c) Any fireworks devices that are readily accessible to handling by consumers or purchasers must have their fuses protected in such a manner as to protect against accidental ignition of an item by a spark, cigarette ash or other ignition source. Safety type thread wrapped and coated fuses shall be exempt from this provision.

"(d) No retail permit shall be issued for the sale of fireworks at retail from tents or from or in a motor vehicle or from a trailer towed by a motor vehicle. A permit may be issued for the sale of fireworks from a modular or mobile building when the structure is eight feet or more in width and thirty-two feet or more in length, from which all wheels have been removed and the structure placed on a non-mobile foundation. No permit shall be issued to an applicant for a previously unpermitted location, until the premises where fireworks are to be stored or sold have been inspected by the state fire marshal or his designated representative and it shall have been determined that such building and facilities within the building and facilities for storage meet reasonable safety standards for the storage and sale of permissible fireworks. Inspection is not required for renewal of permits at the same location to be operated by the same owner unless there has occurred substantial structure or environmental changes."

REGULAR SESSION  
22nd Day

1381

Section 6. Section 8-17-222, Code of Alabama 1975, is hereby amended to read as follows:

"It shall be unlawful to offer for sale or to sell any fireworks to children under the age of 16 years unless accompanied by an adult or to any intoxicated or irresponsible person. Any person purchasing fireworks shall be required to show a valid driver's license or state approved identification card. It shall be unlawful to explode or ignite fireworks within 600 feet of any church, hospital, asylum, public school, any enclosed building, or within 200 feet of where fireworks are stored, sold or offered for sale. No person shall ignite or discharge any permissible articles of fireworks within or throw the same from a motor vehicle while within nor shall any person place or throw any ignited article of fireworks into or at such a motor vehicle, or at or near any person or group of people."

Section 7. Section 8-17-224, Code of Alabama, 1975, is hereby amended to read as follows:

"Any individual, firm, partnership or corporation that violates any provisions of this article other than section 8-17-218 shall be guilty of a Class A misdemeanor, and upon conviction shall be punished by a fine of not less than ~~\$50.00~~ \$100.00 or more than ~~\$200.00~~ \$1000.00 or imprisoned for not less than 30 days, or more than ~~90 days~~, one year or both, in the discretion of the court. ~~Provided, however, that any~~ Any person convicted of manufacturing, shipping into, possessing or selling any illegal fireworks described in section 8-17-218 shall be guilty of a Class C felony and upon conviction shall be punished by a fine of not less than \$500.00 nor more than ~~\$1,000.00~~ \$5,000.00 or imprisoned not less than one year and one day or more than ~~three ten~~ years, or both, in the discretion of the court."

Section 8. Section 8-17-226, Code of Alabama 1975, is hereby amended to read as follows:

~~This article shall in no wise affect the validity of any local act now or which may hereafter be enacted or any city ordinance further restricting the sale or use of fireworks."~~

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Manley
Amari	Covington	Hale	Menton
Bailey	deGraffenried	Hilliard	Pruitt
Bedsole	Dixon	Holmes	Rice
Bennett	Ellis	Horn	Smith (B)
Cabaniss	Figures	Langford	Smith (J)
Campbell	Foshee		

—25

Nays:

—0

And said Bill, S. B. 318, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley	
Amari	Corbett	Goodwin	Menton	
Bailey	Covington	Hale	Preuitt	
Bennett	deGraffenried	Holmes	Rice	
Bishop	Dixon	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	—23

Nays: —0

**MOTION IN WRITING**

Senator Preuitt requested and received permission to offer the following Motions in Writing, at the request of Senator Denton, to-wit:

I move that the Bill, H. B. 413, on page 109 of the 22nd Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, H. B. 413, referred to the Standing Committee on Rules for placement on the Consent Calendar.

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., S. B. 140, adopted.

Yeas 21; Nays 1.

Yeas:

Senators:	Campbell	Goodwin	Menton	
Bailey	Covington	Hale	Preuitt	
Bedsole	deGraffenried	Hilliard	Rice	
Bennett	Dixon	Langford	Smith (B)	
Bishop	Ellis	Manley	Smith (J)	
Cabaniss	Foshee			—21

Nay: Senator Amari —1

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 140. To make the illegal possession of food stamps a criminal offense, to define the degrees of such offense; to prescribe punishment; and to provide that any person convicted of such crime who is licensed under the Alcoholic Beverage Licensing Code shall have his license revoked in addition to criminal penalties.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Manley	
Bailey	Covington	Goodwin	Menton	
Bedsole	deGraffenried	Hale	Preuitt	
Bennett	Dixon	Hilliard	Rice	
Bishop	Ellis	Langford	Smith (J)	—19

Nays: —0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., S. B. 536, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Langford	
Bailey	Campbell	Goodwin	Manley	
Barron	Covington	Hale	Preuitt	
Bedsole	deGraffenried	Hilliard	Rice	
Bishop	Dixon	Holmes		—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 536. To require the state to provide subsidized child day care services for eligible children.

was taken up.

Senator Rice offered the following substitute for the Bill, S. B. 536, to-wit:

**SUBSTITUTE FOR S. B. 536**

**A BILL  
TO BE ENTITLED  
AN ACT**

To require the state to provide subsidized child day-care services for a certain minimum number of eligible children, and to provide for a conditional, supplemental appropriation for fiscal year beginning October 1, 1987, for a certain amount of additional eligible children.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby provided a mandatory state subsidized child day-care services program within the Department of Human Resources for a minimum average of 6,500 eligible children at not less than the current Department of Human Resources payment rates for a payment-to-provider cost of not less than \$8,600,000.00, annually, based on fiscal year ending September 30, 1987.

Section 2. There is hereby provided, in addition to any and all other appropriations to the Department of Human Resources, a conditional appropriation of \$2,400,000.00 from the general fund for the fiscal year beginning October 1, 1987, to the Department of Human Resources, to provide child day-care services for an additional 1,800 eligible children. The appropriation herein provided is conditional upon the condition of the general fund as ascertained by the governor, and shall be released only upon orders of the governor.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Rice, further consideration of the Bill, S. B. 536, and pending substitute, was postponed temporarily.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 43. To amend Sections 36-27A-1 and 36-27A-5, Code of Alabama 1975, so as to allow public officials or employees of the State of Alabama, including current and former legislators, or any political subdivision thereof, to participate in the Public Employees' Individual Retirement Account Fund and to provide for additional nondeductible contributions.

Also:

S. 65. To require all persons born on or after October 1, 1973, and of 16 years of age or older to present certification of satisfactory completion of an approved hunter education course at the time of obtaining any annual or trip hunting license provided for in this chapter; to prohibit the issuance of any annual or trip hunting licenses to said persons without said certification; to prohibit hunting by persons born on or after October 1, 1973, and of 16 years of age or older pursuant to any lifetime Alabama hunting license without obtaining said certification; to prohibit the illegal or fraudulent obtaining of said certification; to allow promulgation of a license and/or certification revocation procedure; to allow the Department of Conservation and Natural Resources to prescribe a course of instruction and an instructor certification procedure, and to approve other courses; to provide penalties for violation of this act; and to provide certain exemptions relating to nonresidents hunting at commercial hunting lodges.

Also:

S. 521. To define the crime of juror harassment; to prescribe for criminal felony punishment.

JIM SMITH,  
Chairperson.

### BUDGET ISOLATION RESOLUTION

Senator Smith (J), B. I. R., S. B. 86, adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Manley
Bedford	Campbell	Hale	Menton
Bedsole	Covington	Hilliard	Smith (B)
Bennett	deGraffenried	Holmes	Smith (J)
Bishop	Dixon	Langford	

—18

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 86. To amend Code of Alabama 1975, §13A-5-40(a)(5) to provide that murder of a law enforcement officer or prison or jail guard on duty is a capital offense regardless of whether the defendant knew or should have known that the victim was an officer or guard on duty; to state the need for such an amendment; to provide for severability; to provide an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Campbell	Dixon	Langford
Bedford	Corbett	Ellis	Manley
Bedsole	Covington	Figures	Menton
Bennett	deGraffenried	Hale	Smith (B)
Bishop	Dial	Hilliard	Smith (J)
Cabaniss			

—20

*Nays:* —0

**FURTHER CONSIDERATION OF H. B. 184**

The Senate proceeded to further consideration of the Bill, H. B. 184.

And said Bill, H. B. 184, was read a third time at length and passed.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Cabaniss	Ellis	Menton
Bedford	Campbell	Hale	Parsons
Bedsole	Corbett	Langford	Preuitt
Bennett	Covington	Manley	Smith (B)
Bishop	deGraffenried		

—17

*Nay:* Senator Figures —1

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 209. To amend Section 40-17-31(a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline and lubricating oil by city and county boards of education, the Alabama Institute for Deaf and Blind, Department of Youth Services School District, and private and parochial schools shall be exempt from taxation under the levy provided for in Section 40-17-31(a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 315. CREATING A JOINT LEGISLATIVE STEERING COMMITTEE ON REAPPORTIONMENT TO PREPARE FOR THE 1990 CENSUS.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

**BUDGET ISOLATION RESOLUTION**

Senator Ellis, B. I. R., S. B. 117, adopted.

Yeas 16; Nays 2.

Yeas:

Senators:	deGraffenried	Hale	Menton
Bedsole	Dial	Holmes	Preuitt
Bishop	Dixon	Langford	Smith (B)
Cabaniss	Ellis	Manley	Smith (J)
Covington			

—16

Nays:

Senators:	Amari	Corbett
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—2

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 117. To propose an amendment to the Constitution to provide that no bond, warrant or any other obligation of any county shall be considered a bond for the purposes of Section 222 of the Constitution of Alabama of 1901, as amended, nor shall any bond, warrant or any other obligation of any county be included in the indebtedness of such county within the meaning of any provision of Section 224 of the Constitution of Alabama of 1901, as



**REGULAR SESSION  
22nd Day**

1387

amended, if any such bond, warrant or other obligation is issued to provide, improve or repair any public facilities or improvements (including, without limitation, roads, streets, sidewalks, sanitary sewers, storm water sewers, sewage treatment facilities, flood control facilities, seawalls, and lighting systems) specially benefiting, to any degree, one or more tracts or parcels of property if the cost of such public facilities or improvements is to be assessed, in whole or in part, against such property.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Parsons
Amari	Corbett	Hale	Preuitt
Bailey	deGraffenried	Holmes	Rice
Bedsole	Dial	Langford	Smith (B)
Bishop	Dixon	Manley	Smith (J)
Cabaniss	Ellis	Menton	

—22

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., S. B. 212, adopted.

Yeas 14; Nays 4.

*Yeas:*

Senators:	deGraffenried	Hale	Rice
Bailey	Dial	Holmes	Smith (B)
Cabaniss	Ellis	Menton	Smith (J)
Covington	Goodwin	Preuitt	

—14

*Nays:*

Senators:	Corbett	Langford	Parsons
Amari			

—4

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 212. To amend Code of Alabama 1975, §13A-6-20, to provide that the driver of a motor vehicle who recklessly causes serious physical injury to another person while under the influence of alcohol and/or a controlled substance commits the crime of assault in the first degree.

was taken up.

On motion of Senator Smith (J), further consideration of the Bill, S. B. 212, was postponed temporarily.

**FURTHER CONSIDERATION OF H. J. R. 110**

The Senate proceeded to further consideration of the Resolution:

H. J. R. 110. ESTABLISHING THE CONTINUING SELECT JOINT COMMITTEE ON INSURANCE.

which said Resolution was reported favorably from Rules and postponed on the Twentieth Legislative Day.

On motion of Senator Parsons, the Resolution, H. J. R. 110, was concurred in and adopted by the Senate.

### BUDGET ISOLATION RESOLUTION

Senator Langford, B. I. R., S. B. 42, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Cabaniss	Ellis	Manley	
Bailey	Campbell	Goodwin	Preuitt	
Bedford	deGraffenried	Hale	Rice	
Bennett	Dial	Langford	Smith (B)	
Bishop	Dixon			—17

*Nay:* Senator Amari —1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 42. To amend Sections 40-22-1 and 40-22-2, Code of Alabama 1975, which sections relate to recordation taxes levied upon deeds, bills of sale, mortgages or other instruments conveying any interest in real or personal property, so as to exempt the re-recording of such instruments executed in order to correct errors in such instruments, specifically, but not limited to, the correction of maturity dates of such instruments, for the purpose of perfecting the title to real or personal property.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Menton	
Amari	Campbell	Foshee	Parsons	
Bailey	Corbett	Goodwin	Preuitt	
Bedsole	deGraffenried	Langford	Rice	
Bennett	Dial	Manley	Smith (B)	
Bishop	Dixon			—21

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Bedsole, B. I. R., S. B. 294, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Bishop	Dixon	Manley	
Bailey	Cabaniss	Ellis	Menton	
Bedford	Campbell	Goodwin	Preuitt	
Bedsole	deGraffenried	Langford	Smith (B)	
Bennett	Dial			—17

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 294. To provide for and require an annual state "big game (deer and turkey) stamp"; to provide for certain exemptions; to provide for the cost thereof and an issuance fee under certain circumstances; to provide for the sale of said stamp on a combination basis under certain circumstances; to provide for an annual increase in the fees for said stamp; to provide for the form of said stamp; to prohibit production of said stamp by the Alabama Wildlife Federation; to permit production by the Alabama Wildlife Federation of certain items relating to said stamp; and to provide for the deposit of the fees.

was taken up.

Senator Bedsole offered the following amendment to the Bill, S. B. 294, to-wit:

**AMENDMENT TO S. B. 294**

Amend Senate Bill No. 294 Page 2 Line 7, by striking out October after the word effective and "1, 1987" on line 8 and inserting in lieu thereof "on the date licenses go on sale for the 1987-88 hunting seasons and further amend Senate Bill 294 on line 31, striking out all the words on lines 31 after the words "amounts," through the end of line 35.

Which was adopted.

Yeas 15; Nays 3.

**Yeas:**

Senators:	deGraffenried	Hale	Menton	
Bailey	Dial	Holmes	Preuitt	
Bedford	Ellis	Langford	Rice	
Bedsole	Goodwin	Manley	Smith (B)	—15

**Nays:**

Senators:	Amari	Dixon	Parsons	—3
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And said Bill, S. B. 294, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 13; Nays 5.

**Yeas:**

Senators:	Campbell	Holmes	Menton	
Bailey	Ellis	Horn	Smith (B)	
Bedford	Goodwin	Langford	Smith (J)	
Bedsole	Hale			—13

**Nays:**

Senators:	Cabaniss	Dixon	Manley	
Bishop	deGraffenried			—5

**BILLS RE-COMMITTED**

Senator Smith (J), requested and received permission to suspend the Rules in order that the Bill, S. B. 174, be re-committed to the Regular Calendar.

Senator Smith (J), then requested and received permission to suspend the Rules in order that the Bill, S. B. 500, be re-committed to the Regular Calendar.

### BUDGET ISOLATION RESOLUTION

Senator Corbett, B. I. R., S. B. 174, adopted.

Yeas 19; Nays 1.

*Yeas:*

Senators:	Cabaniss	Ellis	Langford	
Bailey	Campbell	Goodwin	Manley	
Bedford	deGraffenried	Hale	Menton	
Bennett	Dial	Holmes	Preuitt	
Bishop	Dixon	Horn	Smith (J)	—19

*Nay:* Senator Amari

—1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 174. To provide that a retired employee of the department of public safety may accept employment with another state, city or county agency and continue to receive his retirement benefits but shall not receive additional retirement benefits for his new employment even though he contributes to the retirement systems.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Dixon	Manley	
Bailey	Campbell	Ellis	Preuitt	
Bedsole	Corbett	Goodwin	Smith (B)	
Bennett	deGraffenried	Hale	Smith (J)	
Bishop	Dial	Langford		—18

*Nays:*

—0

### BUDGET ISOLATION RESOLUTION

Senator Bailey, B. I. R., S. B. 500, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	deGraffenried	Hale	Menton	
Bailey	Dixon	Holmes	Rice	
Bedsole	Ellis	Langford	Smith (B)	
Bishop	Goodwin	Manley	Smith (J)	
Cabaniss				—16

*Nays:*

Senators: Corbett Parsons —2

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 500. To make a supplemental appropriation to the Children's Trust Fund for the operation of said trust, from the general fund of the state treasury, for the fiscal year ending September 30, 1987; providing that no balance of such funds, at the end of the fiscal year, shall revert to the general fund of the state treasury but shall continue until the said additional appropriation is depleted.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Menton
Amari	Corbett	Hale	Preuitt
Bailey	deGraffenried	Holmes	Rice
Bedsole	Dixon	Langford	Smith (J)
Bishop	Ellis	Manley	

—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Dixon, B. I. R., S. B. 161, adopted.

Yeas 17; Nays 2.

*Yeas:*

Senators:	deGraffenried	Hilliard	Menton
Bailey	Dixon	Holmes	Preuitt
Bishop	Ellis	Langford	Rice
Cabaniss	Goodwin	Manley	Smith (J)
Campbell	Hale		

—17

*Nays:*

Senators: Corbett Parsons —2

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 161. To amend Section 32-5A-191 of the Code of Alabama 1975, which relates to the offense of driving under the influence of alcohol or controlled substances (DUI) and the penalties therefor, so as to require all persons convicted of violating said Section 32-5A-191 or a municipal ordinance prohibiting operation or actual physical control of a vehicle while under the influence of alcohol or controlled substances, to attend and complete a DUI court referral program certified or approved by the State Administrative Office of Courts; and to provide that completion of such program shall be in addition to the punishments and sanctions now provided by Section 32-5A-191 of the Code of Alabama 1975.

was taken up.

Senator Bishop offered the following amendment to the Bill, S. B. 161, to-wit:

### AMENDMENT TO S. B. 161

Amend S. 161 as follows:

On page 2, line 25, strike through the word "shall" and insert following ~~shall~~ the following word:

may

Also, on page 2, line 30, following the stricken language, insert the following sentence:

Upon a first conviction, the judge shall have the right to issue a special driving permit to allow a convicted person the privilege of driving to and from his place of employment only.

Which was adopted.

Yeas 16; Nays 2.

Yeas:

Senators:	deGraffenried	Goodwin	Menton	
Bailey	Dial	Hale	Preuitt	
Bishop	Dixon	Langford	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Campbell				—16

Nays:

Senators:	Amari	Parsons	—2
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And said Bill, S. B. 161, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 17; Nays 1.

Yeas:

Senators:	Campbell	Ellis	Menton	
Bailey	Corbett	Goodwin	Preuitt	
Bedsale	deGraffenried	Langford	Rice	
Bishop	Dial	Manley	Smith (B)	
Cabaniss	Dixon			—17

Nay: Senator Amari

—1

### MOTION IN WRITING

On motion of Senator Ellis, the Rules were suspended, and he was granted permission to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 113, on page 50 of the 22nd Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 113, referred to the Standing Committee on rules for placement on the Consent Calendar.

**BUDGET ISOLATION RESOLUTION**

Senator Corbett, B. I. R., S. B. 401, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton
Bailey	Dial	Hale	Preuitt
Bedford	Dixon	Langford	Rice
Bishop	Ellis	Manley	Smith (J)
Cabaniss			

—16

*Nays:*

Senators:	Amari	Parsons	
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—2

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 401. To amend Section 2-19-131, Code of Alabama 1975, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, Code of Alabama 1975, providing procedures to be used when assessments are not paid. To also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Ellis	Parsons
Amari	Campbell	Goodwin	Preuitt
Bailey	Corbett	Hale	Rice
Bedsole	deGraffenried	Langford	Smith (J)
Bishop	Dial	Menton	

—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., S. B. 475, adopted.

Yeas 15; Nays 3.

*Yeas:*

Senators:	Cabaniss	Ellis	Menton
Bailey	Campbell	Goodwin	Preuitt
Bedsole	deGraffenried	Hale	Rice
Bishop	Dial	Langford	Smith (J)

—15

*Nays:*

Senators:	Amari	Corbett	Parsons	—3
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**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 475. To amend Section 32-5-240, Code of Alabama 1975, which relates to the use of headlights on motor vehicles, so as to provide further for such use.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 16; Nays 3.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Bailey	deGraffenried	Hale	Preuitt	
Bedsole	Dial	Langford	Rice	
Bishop	Ellis	Manley	Smith (J)	
Campbell				—16

*Nays:*

Senators:	Amari	Cabaniss	Parsons	—3
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**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 137, adopted.

Yeas 14; Nays 4.

*Yeas:*

Senators:	Campbell	Goodwin	Preuitt	
Bailey	deGraffenried	Hale	Rice	
Bedsole	Dixon	Langford	Smith (J)	
Cabaniss	Ellis	Menton		—14

*Nays:*

Senators:	Bedford	Corbett	Parsons	
Amari				—4

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 137. To amend Sections 37-6-9, 37-6-10 and 37-6-11 to permit certain actions to be taken at area meetings of the members of rural electric cooperatives instead of at central annual or special meetings if the bylaws so provide, prescribes the procedures therefor and requires a central annual meeting for consolidation, merger, dissolution, sale or leasing of more than 10% of cooperative assets or bankruptcy or reorganization.

was read a third time at length and passed.



**REGULAR SESSION  
22nd Day**

1395

Yeas 18; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Cabaniss</b>	<b>Ellis</b>	<b>Manley</b>
<b>Amari</b>	<b>Campbell</b>	<b>Foshee</b>	<b>Menton</b>
<b>Barron</b>	<b>deGraffenried</b>	<b>Goodwin</b>	<b>Preuitt</b>
<b>Bedford</b>	<b>Dial</b>	<b>Hale</b>	<b>Smith (J)</b>
<b>Bedsole</b>	<b>Dixon</b>	<b>Langford</b>	—18

*Nays:* —0

**BILL SUBSTITUTED**

On motion of Senator Menton, the Rules were suspended and he was granted permission to substitute the Bill, H. B. 163, for the Bill, S. B. 210, on the Special Order Calendar.

**BUDGET ISOLATION RESOLUTION**

Senator Menton, B. I. R., H. B. 163, adopted.

Yeas 18; Nays 1.

*Yeas:*

<b>Senators:</b>	<b>Cabaniss</b>	<b>Foshee</b>	<b>Preuitt</b>
<b>Amari</b>	<b>Campbell</b>	<b>Goodwin</b>	<b>Rice</b>
<b>Bailey</b>	<b>deGraffenried</b>	<b>Langford</b>	<b>Smith (B)</b>
<b>Bedford</b>	<b>Dial</b>	<b>Manley</b>	<b>Smith (J)</b>
<b>Bedsole</b>	<b>Dixon</b>	<b>Menton</b>	—18

*Nay:* Senator Corbett —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 163. To amend §34-24-360(15), Code of Alabama, 1975 to authorize the Medical Licensure Commission to suspend or revoke a license to practice medicine or osteopathy when another State licensing board takes disciplinary action against a physician; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Corbett</b>	<b>Goodwin</b>	<b>Menton</b>
<b>Barron</b>	<b>deGraffenried</b>	<b>Hilliard</b>	<b>Preuitt</b>
<b>Bishop</b>	<b>Dial</b>	<b>Holmes</b>	<b>Rice</b>
<b>Cabaniss</b>	<b>Dixon</b>	<b>Langford</b>	<b>Smith (J)</b>
<b>Campbell</b>	<b>Foshee</b>	<b>Manley</b>	—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Cabaniss, B. I. R., S. B. 12, adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Manley	
Barron	deGraffenried	Hale	Menton	
Bedsole	Dial	Hilliard	Preuitt	
Bishop	Dixon	Holmes	Rice	
Cabaniss	Foshee	Langford	Smith (J)	—19

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 12. Proposing an amendment to the Constitution of Alabama of 1901, relative to providing for a reserve in the annual budget of the state general fund and the Alabama special educational trust fund.

was taken up.

On motion of Senator Cabaniss, further consideration of the Bill, S. B. 12, was postponed temporarily.

**FURTHER CONSIDERATION OF H. B. 48**

The Senate proceeded to further consideration of the Bill, H. B. 48.

Senator Corbett offered the following substitute for the Bill, H. B. 48, to-wit:

**SUBSTITUTE FOR H. B. 48**

**A BILL  
TO BE ENTITLED  
AN ACT**

To establish the venue for all civil actions for damages for personal injury, death or property damage filed against a county or against a municipality.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The venue for all civil actions for damages for personal injury, death or property damage filed against a county or against a municipality shall be in the county or in the county within which the municipality is located or in the county in which the act or omission complained of occurred.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

REGULAR SESSION  
22nd Day

1397

Yeas 19; Nays 0.

*Yeas:*

Senators:	Campbell	Ellis	Langford	
Barron	Corbett	Foshee	Manley	
Bedsole	deGraffenried	Goodwin	Menton	
Bishop	Dial	Hilliard	Preuitt	
Cabaniss	Dixon	Holmes	Smith (J)	—19

*Nays:* —0

And said Bill, H. B. 48, as thus amended by the substitute, was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Menton	
Bailey	Corbett	Hale	Preuitt	
Barron	deGraffenried	Hilliard	Rice	
Bedsole	Dial	Holmes	Smith (J)	
Bishop	Ellis	Manley		—18

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 141. To authorize local boards of education in any combination of 25 or more to jointly purchase insurance or to establish self-funded insurance programs for the purpose of providing risk management alternatives for the boards of education; establishes requirements of reporting; and exempts such entities from payment of certain taxes.

said Governor's Message being in words and figures as follows, to-wit:

**MESSAGE FROM THE GOVERNOR**

To The House of Representatives of Alabama  
Alabama State House  
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Bill No. 141, without the Governor's signature and with a suggested Executive Amendment.

Respectfully submitted,

JOHN E. GRENIER,  
Executive Secretary.

DONE this 25th day of June, 1987.

**MESSAGE FROM THE GOVERNOR**

To The House of Representatives of Alabama  
Alabama State House  
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 141, without my approval and with the following suggested Executive Amendment:

**EXECUTIVE AMENDMENT TO HOUSE BILL NO. 141:**

Amend House Bill No. 141, page 3, immediately following Section 8 by deleting Section 9 in its entirety and by inserting in lieu thereof new Sections 9 and 10 to read as follows:

Section 9. No Risk Management Cooperative established under the provisions of this act shall provide coverage or benefits as authorized under the public education employees' health insurance plan or the state insurance fund.

Section 10. All laws or parts of laws which conflict with this act are hereby expressly repealed; provided, that no part of Sections 16-25A-1 through 16-25A-17 or Sections 41-15-1 through 41-15-13, Code of Alabama 1975, shall be repealed by the provisions of this act.

Further amend said House Bill No. 141 by renumbering remaining sections accordingly.

The adoption of the above suggested Executive Amendment will remove my objections to this Bill.

DONE on this the 25th day of June, 1987.

Respectfully,

GUY HUNT,  
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 141, by a vote of a majority of those voting, said vote being: Yeas 66, Nays 0.

And said Bill, H. B. 141, together with the Executive amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE AND GOVERNOR'S MESSAGE**

On motion of Senator Bailey, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 141, the title of which and said Executive amendment are set out in the foregoing Message from the House.

REGULAR SESSION  
22nd Day

1399

Yeas 18; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Menton	
Bailey	deGraffenried	Hale	Preuitt	
Barron	Dial	Hilliard	Rice	
Bedsole	Dixon	Langford	Smith (J)	
Cabaniss	Ellis	Manley		—18

Nays: —0

which was a majority of the whole number elected to the Senate.

**FURTHER CONSIDERATION OF S. B. 212**

The Senate proceeded to further consideration of the Bill, S. B. 212.

Senator Smith (J) offered the following substitute for the Bill, S. B. 212, to-wit:

**SUBSTITUTE FOR S. B. 212**

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Section 13A-6-20 of the Code of Alabama 1975, relating to assault in the first degree so as to provide further for the elements of such crime.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Section 13A-6-20 of the Code of Alabama 1975 is hereby amended to read as follows:

“§13A-6-20.

“(a) A person commits the crime of assault in the first degree if:

“(1) With intent to cause serious physical injury to another person, he causes serious physical injury to any person by means of a deadly weapon or a dangerous instrument; or

“(2) With intent to disfigure another person seriously and permanently, or to destroy, amputate or disable permanently a member or organ of his body, he causes such an injury to any person; or

“(3) Under circumstances manifesting extreme indifference to the value of human life, he recklessly engages in conduct which creates a grave risk of death to another person, and thereby causes serious physical injury to any person; or

“(4) In the course of and in furtherance of the commission or attempted commission of arson in the first degree, burglary in the first or second degree, escape in the first degree, kidnapping in the first degree, rape in the first degree, robbery in any degree, sodomy in the first degree or any other felony clearly dangerous to human life, or of immediate flight therefrom, he causes a serious physical injury to another person; or

“(5) While driving under the influence of alcohol or a controlled substance or any combination thereof in violation of Section 32-5A-191 of the

Code of Alabama 1975, he causes serious bodily injury to the person of another with a motor vehicle.

“(b) Assault in the first degree is a Class B felony.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 14; Nays 0.

*Yeas:*

Senators:	Bishop	Dial	Menton	
Amari	Cabaniss	Ellis	Preuitt	
Bailey	Campbell	Hale	Smith (J)	
Bedsole	deGraffenried	Manley		—14

*Nays:* —0

And said Bill, S. B. 212, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bishop	Dixon	Manley	
Amari	Cabaniss	Ellis	Menton	
Bailey	Campbell	Goodwin	Preuitt	
Barron	deGraffenried	Hale	Rice	
Bedsole	Dial	Hilliard	Smith (J)	—19

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Smith (J), B. I. R., S. B. 79, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Cabaniss	Ellis	Menton	
Bailey	Campbell	Goodwin	Preuitt	
Barron	deGraffenried	Hale	Rice	
Bedsole	Dial	Manley	Smith (J)	
Bishop	Dixon			—17

*Nay:* Senator Amari —1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 79. To amend Section 13A-11-11, Code of Alabama 1975, as amended, relating to the crime and penalty for falsely reporting an incident, so as to increase the penalty to a felony.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

**REGULAR SESSION  
22nd Day**

1401

Yeas 17; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Menton	
Bailey	deGraffenried	Hale	Preuitt	
Bedsole	Dial	Hilliard	Rice	
Bishop	Dixon	Manley	Smith (J)	
Cabaniss	Ellis			—17

*Nays:* —0

(The President and Presiding Officer of the Senate declared a quorum present but not voting.)

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., S. B. 565, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	Campbell	Goodwin	Menton	
Barron	deGraffenried	Hale	Preuitt	
Bedsole	Dial	Langford	Rice	
Bishop	Ellis	Manley	Smith (J)	
Cabaniss				—16

*Nays:*

Senators:	Corbett	Parsons	—2
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**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 565. To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to Section 903 of the Social Security Act, as amended, for the purpose of purchasing land, buildings and/or providing funds for the administration of the unemployment compensation and employment service programs as the director shall determine to be in the best interest of the State, and the total cost of which does not exceed the amount of this appropriation. Such funds are to be expended exclusively for the programs administered by the the Division of Employment Security of the Department of Industrial Relations of the State of Alabama.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Bishop	Dixon	Manley	
Amari	Cabaniss	Ellis	Menton	
Bailey	Campbell	Goodwin	Rice	
Barron	deGraffenried	Hale	Smith (J)	
Bedsole	Dial	Langford		—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., S. B. 515, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	Campbell	Goodwin	Menton	
Bailey	Dial	Holmes	Preuitt	
Bedsole	Dixon	Langford	Rice	
Bishop	Ellis	Manley	Smith (J)	
Cabaniss				—16

*Nays:*

Senators:	Amari	Corbett		—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 515. To amend Section 38-7-2, Code of Alabama 1975, relating to child care, so as to redefine the term "day care home" and provide further therefor.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Bishop	Dial	Holmes	
Amari	Cabaniss	Dixon	Menton	
Bailey	Campbell	Ellis	Preuitt	
Barron	Corbett	Goodwin	Rice	
Bedsole	deGraffenried			—17

<i>Nay:</i> Senator Manley	—1
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**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., S. B. 111, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	deGraffenried	Hale	Menton	
Bailey	Dial	Holmes	Preuitt	
Bedford	Ellis	Langford	Rice	
Bishop	Goodwin	Manley	Smith (J)	
Cabaniss				—16

*Nays:*

Senators:	Amari	Corbett		—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 111. Proposing an amendment to the Constitution of Alabama of 1901, establishing a state attorneys' inquiry commission which shall conduct



investigations into complaints concerning state attorneys; creating a court of state attorneys to hear complaints filed by the commission; creating a state attorneys' canon promulgating committee to promulgate canons of ethics; and to repeal any prohibition of retirement for District Attorneys.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 111, to-wit:

**SUBSTITUTE FOR S. B. 111**

**A BILL  
TO BE ENTITLED  
AN ACT**

Proposing an amendment to the Constitution of Alabama of 1901, establishing a district attorneys' inquiry commission which shall conduct investigations into complaints concerning district attorneys; creating a court of district attorneys to hear complaints filed by the commission; and to create a district attorneys' canon promulgating committee to promulgate canons of ethics for district attorneys.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of 1901 as amended:

**PROPOSED AMENDMENT**

I. (a) A district attorneys' inquiry commission is created consisting of seven members. The circuit judges' association shall appoint two judges of the circuit court as members of the commission. The governor shall appoint one person who is not a lawyer, and the governing body of the Alabama state bar shall appoint one member of the state bar to serve as members of the commission. The district attorneys' association shall appoint three district attorneys as members of the commission. The commission shall select its own chairperson. The terms of the members of the commission shall be four years, and no member shall serve more than two terms consecutively. A vacancy on the commission shall be filled for a full term in the manner the original appointment was made.

(b) The commission shall be convened permanently with exclusive authority to conduct investigations, and to receive or initiate complaints concerning any district attorney. As used in this article, district attorney is defined as the district attorney in each judicial circuit, and all the deputies and assistants employed by the district attorney who are licensed to practice law. Part-time assistants are included within the definition only to the extent of their actions and inactions connected with their capacities and duties as assistant district attorneys. The commission shall file a complaint with the court of district attorneys in the event that a majority of the members of the commission decide that a reasonable basis exists: (1) to charge a district attorney with violation of any canon of district attorneys' ethics, misconduct in office, or failure to perform his or her duties, or (2) to charge that the district attorney is physically or mentally unable to perform his or her duties. All proceedings of the commission shall be confidential except the filing of

a complaint with the court of district attorneys. The commission shall prosecute the complaints.

(c) The supreme court shall adopt rules governing the procedures of the commission.

(d) The commission shall have subpoena power and authority to appoint and direct its staff. Members of the commission shall receive necessary expenses only. The legislature shall appropriate funds for the operation of the commission.

II. (a) The court of district attorneys is created consisting of one judge of an appellate court, who shall be selected by the supreme court and shall serve as chief judge of the court of district attorneys; one judge of the circuit court, who shall be selected by the circuit judges' association; one member of the state bar, who shall be selected by the governing body of the Alabama state bar, and two district attorneys who shall be selected by the district attorneys' association. The terms of the members of the court shall be four years, and no member shall serve more than two terms consecutively. A vacancy on the court shall be filled for a full term in the manner the original appointment was made. The court shall be convened to hear complaints filed by the district attorneys' inquiry commission. The court shall have exclusive authority, after notice and public hearing (1) to remove from office, suspend without pay, or censure a district attorney, or to suspend or revoke the law license of a district attorney, or to apply such other sanction as may be prescribed by law, for violation of a canon of district attorneys' ethics, misconduct in office, or failure to perform his or her duties; or (2) to suspend with or without pay, or to place on supervisory status, if available, a district attorney who is physically or mentally unable to perform his or her duties. Nothing contained in this article shall prevent any district attorney, who is not an elected public official, from being discharged from employment as a district attorney by the hiring or appointing authority; nor shall anything contained herein create any retirement right not otherwise provided under state law.

(b) A district attorney aggrieved by a decision of the court of district attorneys may appeal to the supreme court. The supreme court shall review the record of the proceedings on the law and the facts.

(c) The supreme court shall adopt rules governing the procedures of the court of district attorneys.

(d) The court of district attorneys shall have power to issue subpoenas. The legislature shall provide by law for the expenses of the court.

III. A district attorney shall be disqualified from acting as a district attorney, without loss of salary, while there is pending (1) an indictment or an information charging him or her in the United States with a crime punishable as a felony under a state or federal law, or (2) a complaint against him or her filed by the district attorneys' inquiry commission with the court of district attorneys.

IV. The district attorneys' canon promulgating committee is created consisting of three circuit judges, who shall be selected by the circuit judges' association; two members of the state bar, who shall be selected by the governing body of the Alabama state bar; three people who are not lawyers, who shall be selected by the governor; five district attorneys, who shall be selected by the district attorneys' association and two assistant attorneys general, who shall be selected by the attorney general. The committee shall

select its own chairperson. The terms of the members of the committee shall be six years. A vacancy on the committee shall be filled for a full term in the manner the original appointment was made. The committee shall promulgate canons of ethics expressing the standards of professional conduct required of district attorneys, and may amend those canons from time to time thereafter. The legislature shall provide by law for the expenses of the committee.

Section 2. An election upon the proposed amendment is ordered to be held at the next general, special, primary or constitutional amendment election after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and the general election laws of this state.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Section 4. The provisions of this act shall be effective immediately upon ratification by the people and the Governor thereafter shall proclaim this amendment as required by law.

Which was adopted.

Yeas 17; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Menton
Bailey	deGraffenried	Goodwin	Preuitt
Bedsole	Dial	Hale	Rice
Bishop	Dixon	Manley	Smith (J)
Cabaniss	Drinkard		

—17

Nays:

—0

On motion of Senator Dial, further consideration of the Bill, S. B. 111, as amended, was postponed subject to the call of the Chair.

## RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

### S. R. 159. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That pursuant to Rule 9 of the Senate Rules, the regular order of business is hereby set aside and the following bills shall be the paramount and continuing order of business taking precedence over all other matters until disposed of; further provided that standing committees may report at any time during consideration of this Special Order Calendar.

BILL NO.	DESCRIPTION	PAGE NO.
S. 286	Tort reform, statute of limitations on civil actions arising out of work performed by architects and engineers	47
S. 285	Tort reform, statute of limitations on cert. civil actions against materialmen	47
S. 12	Budgets Reserve	46

On motion of Senator Smith (J), said Resolution was adopted by the Senate.

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 365	S. J. R. 151	S. J. R. 147
S. B. 99	S. J. R. 146	S. J. R. 152

Delivered to the Governor, June 25, 1987, at 3:25 P.M.

McDOWELL LEE,  
Secretary of Senate.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

### ADJOURNMENT

At 8:45 P.M., Senator Manley moved that the Senate adjourn until Tuesday, July 7, 1987, at 12 o'clock Noon.

Senator Goodwin offered a substitute motion that the Senate adjourn until Tuesday, July 7, 1987, at 1 o'clock P.M., which motion was adopted, and at 8:50 P.M., in accordance with Joint Resolution heretofore adopted, and pending consideration of the Bills on the Special Order Resolution, S. R. 159, the Senate adjourned until Tuesday, July 7, 1987, at 1 o'clock P.M.

Yeas 11; Nays 10.

Yeas:

Senators:	Bishop	Goodwin	Holmes	
Amari	Campbell	Hale	Langford	
Bedford	Corbett	Hilliard	Menton	—11

Nays:

Senators:	Cabaniss	Dixon	Preuitt	
Bailey	deGraffenried	Ellis	Smith (J)	
Bedsole	Dial	Manley		—10

## **TWENTY-THIRD LEGISLATIVE DAY**

**TUESDAY, JULY 7, 1987**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend Monsignor William James, Director, City of St. Jude, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Winston Tucker, Wetumpka High School, Wetumpka, Alabama.

### **ROLL CALL**

Present:

Senators:	Campbell	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hale	Parsons
Barron	deGraffenried	Hand	Preuitt
Bedford	Denton	Hilliard	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Drinkard	Horn	Smith (B)
Bishop	Ellis	Langford	Smith (J)
Cabaniss	Figures	Manley	

—34

### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JIM SMITH,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Smith (J), the foregoing report was concurred in and the Journal of the Senate for the Twenty-Second Legislative Day was approved by the Senate.

### **LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senator Dial for today.

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 160. RELATIVE TO ADJOURNMENT.

BE IT RESOLVED BY THE SENATE OF ALABAMA, That when the Senate adjourns today, Tuesday, July 7, 1987, it adjourns to meet again on Wednesday, July 8, 1987, at 12:01 a. m.

On motion of Senator Smith (J), said Resolution was adopted by the Senate.

Yeas 20; Nays 8.

*Yeas:*

Senators:	Campbell	Foshee	Manley
Bailey	deGraffenried	Goodwin	Menton
Barron	Dixon	Hale	Preuitt
Bedsole	Drinkard	Hand	Smith (B)
Bishop	Ellis	Horn	Smith (J)
Cabaniss			

—20

*Nays:*

Senators:	Bennett	Figures	Langford
Amari	Corbett	Hilliard	Sanders
Bedford			

—8

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 161. To amend Section 32-5A-191 of the Code of Alabama 1975, which relates to the offense of driving under the influence of alcohol or controlled substances (DUI) and the penalties therefor, so as to require all persons convicted of violating said Section 32-5A-191 or a municipal ordinance prohibiting operation or actual physical control of a vehicle while under the influence of alcohol or controlled substances, to attend and complete a DUI court referral program certified or approved by the State Administrative Office of Courts; and to provide that completion of such program shall be in addition to the punishments and sanctions now provided by Section 32-5A-191 of the Code of Alabama 1975.

Also:

S. 212. To amend Section 13A-6-20 of the Code of Alabama 1975, relating to assault in the first degree so as to provide further for the elements of such crime.

Also:

S. 294. To provide for and require an annual state "big game (deer and turkey) stamp"; to provide for certain exemptions; to provide for the cost

thereof and an issuance fee under certain circumstances; to provide for the sale of said stamp on a combination basis under certain circumstances; to provide for an annual increase in the fees for said stamp; to provide for the form of said stamp; to prohibit production of said stamp by the Alabama Wildlife Federation; to permit production by the Alabama Wildlife Federation of certain items relating to said stamp; and to provide for the deposit of the fees.

Also:

S. 318. To amend Sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which sections provide for the regulation of fireworks in Alabama, so as to provide further for such regulation.

JIM SMITH,  
Chairperson.

### **REPORTS OF COMMITTEES**

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Goodwin, Bennett, and Bedford (With Substitute):

S. 636. To prohibit any person who first votes in the primary election of one party from crossing-over and voting in the subsequent run-off or primary election of another party; to prescribe the manner of handling and maintaining ballots in a primary election in order to enforce the prohibition on cross-over voting; to prescribe misdemeanor penalties for violations of this act; to preserve the rights of the political party to determine qualifications for membership.

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Poole, Johnson (RW), Melton, Frazier, and Layson:

H. 461. To amend section 17-4-156, Code of Alabama 1975, which provides for meeting days of the various boards of registrars, so as to provide further for Tuscaloosa County, effective October 1, 1987.

By Reps. Richardson and Starkey:

H. 286. To provide further for the sale or proper disposal of certain historical property used in legislative chambers; to authorize the historical commission to set a standard rate for certain restored period legislative desks and for the legislative chairs used in the Alabama Legislature; to authorize the secretary of the senate and the clerk of the house to dispose of certain such desks and chairs at such standard rate, or to otherwise make disposal thereof; and to provide for the distribution of net revenues.

Senator Rice, Chairperson of the Standing Committee on Public Welfare, reported that said committee, in session, had acted on the following bill and

ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Hammett:

H. 502. Relating to the age of majority; to provide that for purposes of contracting for educational loans for college level and above, the age of majority shall be seventeen years of age.

Senator Drinkard, Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Adams:

H. 143. To further amend Section 25-5-9, Code of Alabama 1975, as amended, relating to industrial relations and labor, and employers' liabilities for qualifying as self-insurers, so as to provide further therefor, to permit pooling liabilities for reinsurance purposes.

By Senators Barron and Drinkard:

S. 587. To create the Alabama Mothers and Babies Indigent Care Trust Fund; to create the Alabama Mothers and Babies Indigent Care Trust Fund Board to administer said fund; to provide for the said board's composition, powers, duties and authority; to provide for funding; to provide for the creation of the Alabama Mothers and Babies Indigent Care Trust Fund in the state treasury; and to provide that monies in said fund shall not revert to the general fund but shall be carried forward into each succeeding state fiscal year.

### BUDGET ISOLATION RESOLUTION

Senator Barron moved that the B. I. R., S. B. 286, be adopted.

Senator Corbett offered a substitute motion that further consideration of the B. I. R., S. B. 286, be postponed until the Thirtieth Legislative Day.

On motion of Senator Barron, the motion to postpone was laid on the table.

Yeas 20; Nays 7.

Yeas:

Senators:	Campbell	Foshee	Manley
Bailey	Denton	Goodwin	Menton
Barron	Dixon	Hale	Preuitt
Bedsole	Drinkard	Hand	Rice
Bishop	Ellis	Holmes	Smith (J)
Cabaniss			

—20

Nays:

Senators:	Bedford	Figures	Langford
Amari	Corbett	Horn	Sanders

—7

Senator Barron, B. I. R., S. B. 286, adopted.



Yeas 21; Nays 4.

*Yeas:*

Senators:	Campbell	Foshee	Manley
Bailey	Denton	Goodwin	Menton
Barron	Dixon	Hand	Preuitt
Bedsole	Drinkard	Holmes	Rice
Bishop	Ellis	Horn	Smith (J)
Cabaniss	Figures		

—21

*Nays:*

Senators:	Bedford	Corbett	Sanders
Amari			

—4

### SPECIAL ORDER BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 286. Relating to all civil actions in tort, contract or otherwise against architects and engineers, and against builders who construct or perform or manage construction of an improvement on or to real property designed by and constructed under the supervision of, or in accordance with, the plans and specifications prepared by an architect or engineer arising out of any defect or deficiency in the design, planning, testing, supervision, administration or observation of construction of an improvement on or to real property, or arising out of any defect or deficiency in the construction of an improvement on or to real property; providing a definite statute of limitations of three years after a cause of action accrues or arises in all such actions; providing a bar to relief for all causes of action and to all rights of action which accrue more than seven years after the substantial completion of construction of an improvement on or to the real property; providing when a cause of action accrues or arises; providing that this act does not apply to causes of action which have accrued prior to its effective date; providing that this act does not create any cause of action against such architects or engineers or builders or any other persons; excluding causes or rights of action against manufacturers of products; extending the bar of causes or rights of actions for breach of contract arising out of written express warranties to coincide with the period thereof; defining certain terms and repealing all conflicting laws.

Senator Corbett offered the following amendment to the Bill, S. B. 286, to-wit:

#### AMENDMENT TO S. B. 286

Amend S. B. 286, Page 4, Line 25 by adding the following sentence at the end of said line:

Notwithstanding any of the above, a fixture is presently defined in the case law and statutory law of this state shall not be considered an improvement on or to real property subject to this Act.

Senator Bennett offered the following amendment to the Corbett amendment, to-wit:

#### **AMENDMENT TO CORBETT AMENDMENT TO S. B. 286**

Amend Corbett Amendment No. 1 on Page 4, Line 25 by adding the following after the word fixture and before the word "is presently"

shall include, but not be limited to, equipment, machinery, heating systems and air conditioning systems attached to improvements and all fixtures

#### **RESOLUTION**

Senator Menton offered the following Senate Resolution, to-wit:

S. R. 161. MOURNING THE DEATH OF DOROTHY NELL DEN-  
TON OF MUSCLE SHOALS, ALABAMA.

Which was filed.

#### **FURTHER CONSIDERATION OF S. B. 286**

The Senate proceeded to further consideration of the Bill, S. B. 286. The question was on the Bennett amendment to the Corbett amendment to the Bill, S. B. 286.

#### **POINT OF PERSONAL PRIVILEGE**

At 6:45 P.M., Senator Amari requested that, under the provisions of Article IV, Section 55, the Journal reflect his protest of the fact that he asked, in writing, for a quorum call, and that the President and Presiding Officer refused to honor his request.

#### **RECESS**

At 7 o'clock P.M., on motion of Senator Barron, the Senate took a recess until 8 o'clock this evening.

The recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

#### **FURTHER CONSIDERATION OF S. B. 286**

The Senate proceeded to further consideration of the Bill, S. B. 286. The question was on the Bennett amendment to the Corbett amendment to the Bill, S. B. 286.

#### **MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. 137. To amend Sections 37-6-9, 37-6-10 and 37-6-11 to permit certain actions to be taken at area meetings of the members of rural electric cooperatives instead of at central annual or special meetings if the bylaws so provide, prescribes the procedures therefor and requires a central annual meeting for consolidation, merger, dissolution, sale or leasing of more than 10% of cooperative assets by bankruptcy or reorganization.

Also:

H. 163. To amend §34-24-360(15), Code of Alabama, 1975 to authorize the Medical Licensure Commission to suspend or revoke a license to practice medicine or osteopathy when another State licensing board takes disciplinary action against a physician; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

Also:

H. J. R. 110. ESTABLISHING THE CONTINUING SELECT JOINT COMMITTEE ON INSURANCE.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS AND RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator deGraffenried (With Notice and Proof):

S. 653. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 1 (being all that part of the said county lying North and West of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 653, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedsole (With Notice and Proof):

S. 654. Relating to Mobile County; levying an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection, and distribution of the proceeds of the tax, and of the adoption and promul-

gation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 654, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedsole:

S. 655. To amend Section 15-18-8, Code of Alabama 1975, relating to the sentence, punishment and probation of certain convicted defendants so as to provide further that the judge presiding over the case may sentence such convicted defendants to a certain term in a disciplinary/rehabilitation camp under the Alabama department of corrections, and upon completion of such term the judge may place the convicted defendant on probation upon such terms and conditions as the court deems best.

Committee on Judiciary.

By Senator deGraffenried (With Notice and Proof):

S. 656. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 2 (being all that part of the said county lying South and East of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama, and that portion of the unincorporated area of the county which is under the jurisdiction and control of the Tuscaloosa City Board of Education), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 656, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Campbell and Hale (With Notice and Proof):

S. 657. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Committee on Finance and Taxation.

I hereby certify that the notice and proof is attached to the Bill, S. B. 657, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

REGULAR SESSION  
23rd Day

1415

By Senator Hand (With Notice and Proof):

S. 658. Relating to Baldwin County; providing for a Planning and Zoning Commission for the unincorporated areas of the county; providing for the organization, membership, functions, authority and jurisdiction of such commission; prescribing procedures for establishing planning and zoning districts in certain unincorporated areas of the county; prescribing procedures for formulating and implementing district development plans; providing that each tract or parcel of property within a planning and zoning district shall be assessed a certain development privilege fee subject to certain limitations to finance the development functions of the county planning and zoning commission; providing appellate procedures for planning and zoning; prohibiting certain regulations adopted by the commission from being retroactive and providing that this act shall have supplemental effect.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 658, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Horn (With Notice and Proof):

S. 659. Relating to the Tenth Judicial Circuit in Jefferson County; to amend Section 6 of Act No. 75-523, H. 121, Regular Session 1975 (Acts 1975, p. 1174), relating to the appointment, duties and compensation of deputy district attorneys, so as to provide further that the chief deputy district attorney and each of the five deputy district attorneys at Levels #1, #2 and #3 shall be paid according to the amended schedule of salaries.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 659, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hand (With Notice and Proof):

S. 660. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Orange Beach, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Orange Beach.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 660, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Mitchem (With Notice and Proof):

S. 661. Relating to Marshall County; authorizing an increase in the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted

rate of three and one-half mills in the Marshall County School Tax District (commonly referred to as District No. 1 and consisting of all of said county except the City of Guntersville, the City of Albertville and the City of Arab school districts) in said county in accordance with Amendment No. 373 to said Constitution of Alabama 1901; providing that such increased district ad valorem tax shall be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year shall be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year shall be due and payable October 1, 1992) for public school purposes and providing that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said Marshall County School Tax District in a special referendum election called and held for such purpose in accordance with the laws governing special elections.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 661, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Holmes (With Notice and Proof):

S. 662. Relating to the City of Oxford in Calhoun County; providing that the office of mayor shall be full-time.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 662, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Mitchem (With Notice and Proof):

S. 663. Relating to Marshall County; providing that the Marshall County Commission shall be authorized to levy sales and use taxes paralleling the state sales and use taxes with the same exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing that there shall be excluded from any such levy any incorporated municipality in Marshall County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 663, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Ellis (With Notice and Proof):

S. 664. To levy a lodgings tax in Shelby County, to provide for the collection and distribution of said tax, and to provide that the net proceeds

**REGULAR SESSION  
23rd Day**

1417

of said tax shall be used exclusively for the support and promotion of tourism and industry in Shelby County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 664, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Goodwin and Ellis (With Notice and Proof):

S. 665. Applying only to Bibb County; regulating use and identifying certain mobile homes; providing for the use of decals for such purpose; and providing fees and penalties.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 665, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Goodwin and Ellis (With Notice and Proof):

S. 666. Applying only to Bibb County; providing for the creation of a county license inspector and deputy county license inspector; providing for delinquency and citation fees, commissions and penalties allowable to such inspector; providing that all license inspector's fees, commissions and penalties be paid into the county general fund for the use of the county; and repealing all conflicting provisions of law.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 666, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Manley:

S. 667. To make a general appropriation from the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1988 to the following non-state agencies:

- a. Sickie Cell Education Program
- b. Coalition Against Domestic Violence, Inc., Alabama
1. Safeplace, Inc., Florence
2. Tuscaloosa Spouse Abuse Network, Tuscaloosa
3. Montgomery Area Family Violence Program, Inc., Montgomery;
4. Penelope House, Inc., Mobile;
5. East Alabama Task Force for Battered Women, Inc., Auburn;
6. House of Ruth, Inc., Dothan;
7. Family Violence Project, Birmingham;
8. HOPE Place, Inc., Huntsville;
9. Daybreak Family Resource Center of Northwest Alabama, Jasper;
- and
10. Shelter, Inc., Gadsden.

- c. Emergency Medical Services Programs
  - 1. Birmingham Regional Emergency Medical System
  - 2. East Alabama Emergency Medical Services, Inc.
  - 3. North Alabama Emergency Medical Services, Inc.
  - 4. Southeast Alabama Emergency Medical Services System, Inc.
  - 5. Southwest Alabama Emergency Medical Services Council, Inc.
  - 6. West Alabama Emergency Medical Services, Inc.
  - 7. Trenholm State Technical College
- d. Camp ASCCA
- e. United Cerebral Palsy of Alabama
- f. United Cerebral Palsy Development Center of East Central Alabama
- g. Special Schools for Special Education
  - 1. Butler County Training Center for the Mentally Retarded in Greenville
  - 2. Hope Haven School in Colbert County
  - 3. Montgomery Institute of Neurological Development
  - 4. Birmingham Training Center for Brain-Injured Children
  - 5. Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled
  - 6. Alice Pigman School
  - 7. Geneva County Day Care and Training Center
  - 8. McGraw Activity Center
  - 9. Dallas County Day Care and Training Center
  - 10. Calhoun County Community—"EDUCATION PAR EXCELLENCE"
  - 11. North Talladega County Association for Retarded Citizens, Inc.
  - 12. South Talladega County Association for Retarded Citizens, Inc.
  - 13. ECHO FOUNDATION
  - 14. Vivian B. Adams School
  - 15. McInnis School of Montgomery
  - 16. Alan Cott School
- h. Alabama Outdoor Drama
- i. Alabama Student Grant Program—Alabama Commission on Higher Education
- j. Network of Alabama Libraries—Alabama Commission on Higher Education
- k. Alabama League for Advancement of Education—Alabama State University
- l. Eye Injury Register
- m. Small Business Procurement System
- n. American Legion and Auxiliary Scholarships
- o. Black Belt Human Resource Development Center
- p. Children's Hospital
- q. DAR School, Kate Duncan Smith
- r. Davis Theatre
- s. East Alabama Child Development Center
- t. Lighthouse Counseling Center, Inc.
- u. Central Alabama Opportunities Industrialization Center
- v. Alabama Shakespeare Festival
- w. Alabama Sports Festival
- x. Alabama Small Business Development Consortium

Committee on Finance and Taxation.



By Senator Manley:

S. 668. To make a general appropriation from the Alabama Special Educational Trust Fund to certain non-state agencies for the fiscal year ending September 30, 1988.

Committee on Finance and Taxation.

By Senators Ellis and Barron:

S. 669. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Network of Alabama Academic Libraries for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senators Goodwin and Barron:

S. 670. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Alabama Student Grant Program for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senators Bailey, Holmes, and Barron:

S. 671. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senators Cabaniss and Barron:

S. 672. To make an appropriation from the Alabama Special Educational Trust Fund to the Eye Injury Register for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senators Rice and Barron:

S. 673. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senators Ellis and Barron:

S. 674. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Outdoor Drama for the fiscal year 1987-

88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senators Bedford and Barron:

S. 675. To make an appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 676. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama League for Advancement of Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Foshee:

S. 677. To prohibit the Alcoholic Beverage Control Board from issuing rules and regulations prohibiting the manufacture of malt or brewed beverages.

Committee on Governmental Affairs.

By Senators Bennett and Barron:

S. 678. To make a supplemental appropriation of \$68,500 from the Alabama Credit Union Administration Fund to the Alabama Credit Union Administration for the fiscal year ending September 30, 1987.

Committee on Finance and Taxation.

By Senator Menton:

S. 679. To authorize any credit life, casualty, credit property or disability insurance company registered with the department of insurance to sell certain involuntary unemployment protection written through group policy concept; to provide for licensing, agents and rates; to provide for claimant requirements, exclusions and eligibility; to authorize the commissioner of insurance to promulgate and enforce any reasonable rule or regulation relating to the issuance of policies or the sale of involuntary unemployment protection.

Committee on Banking and Insurance.

By Senators Amari, Holmes, and Preuitt:

S. 680. To make appropriations from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama and the United Cerebral Palsy Development Center for East Central Alabama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

**REGULAR SESSION  
23rd Day**

1421

By Senator Mitchem:

S. 681. To provide that any person who kills a dog used by a peace officer within the line and scope of said officer's duties shall be guilty of a felony offense.

Committee on Judiciary.

By Senator Horn:

S. 682. To make appropriations from the Alabama Special Educational Trust Fund to the Alabama Small Business Development Consortium and the Alabama Small Business Procurement System for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

**REPORTS OF COMMITTEES RESUMED**

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Horn and Hilliard (With Substitute):

S. 641. To make an appropriation from the State General Fund for the fiscal year 1987-88 for the use of a sickle cell education program.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Amari, Parsons, Bennett, Hilliard, Cabaniss, and Horn:

S. 644. To appropriate \$400,000 from the Alabama Special Educational Trust Fund to Children's Hospital in Birmingham, Alabama, for support and maintenance for the fiscal year ending September 30, 1988.

By Senator Horn:

S. 645. To make an appropriation from the Alabama Special Educational Trust Fund to the Opportunities Industrialization Center, Central Alabama, for the fiscal year 1987-88.

By Senator Horn:

S. 648. To make an appropriation from the Alabama Special Educational Trust Fund to the Black Belt Human Resource Development Center for the fiscal year 1987-88.

By Senator Horn:

S. 649. To make an appropriation from the Alabama Special Educational Trust Fund to the American Legion and Auxiliary Scholarships for the fiscal year 1987-88.

By Senator Horn:

S. 652. To make an appropriation from the Alabama Special Educational Trust Fund to the DAR School, Kate Duncan Smith for the fiscal year 1987-88.

By Senators Dial, Holmes, Rice, Bailey, Barron, Preuitt, Smith (B), and Smith (J):

S. 619. To make an appropriation from the Alabama Special Educational Trust Fund to the East Alabama Child Development Center for the fiscal year ending September 30, 1988, in the amount of \$1,065,921.00 for support and maintenance.

By Senator Horn:

S. 646. To make an appropriation from the Alabama Special Educational Trust Fund to the Lighthouse Counseling Center, Inc., for the fiscal year 1987-88.

By Senator Horn:

S. 650. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1987-88.

By Senator Horn:

S. 647. To make an appropriation from the Alabama Special Educational Trust Fund to the Davis Theater for the fiscal year 1987-88.

Senator Bedsole, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Layson and Breedlove:

H. 253. To establish the Timber Theft Equipment Condemnation law of the State of Alabama and to further set forth a procedure whereby vehicles and equipment used in connection with timber theft may be condemned by appropriate authorities and, after notice has been given to creditors having a secured interest, judgement, lien or other interest in such vehicles and equipment, the same may be sold or awarded by court order to the State Forester for use or resale in enforcement of felony theft laws of the State of Alabama wherein timber or lumber are the stolen items.

By Rep. Lindsey:

H. 576. To amend §32-9-26, which exempts four-wheel, two-axle trailers with the weight of the trailer and load, not to exceed 10,000 pounds, used in farming from restrictions against use of trailers on the highways so as to allow from two to eight wheels and from one to four axles and a weight limit of not more than 36,000 pounds or no more than 10,000 pounds per axle, whichever is less; to amend §32-9-27, which requires those trailers exempted under 32-9-26 to carry reflectors and not be over eight feet in width and 65 feet in length, to allow the trailer to be up to 10 feet in width and no more than 76 feet in length with a one-foot overhang on each side of the trailer allowed for hauling round bales of hay.

By Rep. Lindsey:

H. 577. To amend §32-9-2, which exempts cotton wagons from general trailer restrictions so as to also exempt module-movers and to increase the width and length of the trailers and module-movers from eight feet wide and 75 feet long to 10 feet wide and 85 feet long.

By Rep. Faulk:

H. 584. To amend Section 2-19-131, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, providing procedures to be used when assessments are not paid to also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

By Rep. Harper:

H. 217. To amend Section 9-12-80, Code of Alabama 1975, relating to seafood license fees for certain nonresidents and boats, so as to change the fees for certain nonresidents and boats for certain seafood licenses in Alabama from double the cost for Alabama residents and boats to the cost charged Alabama residents and boats for a similar license in that state; and to provide that in no event shall said nonresidents and boats pay less than twice the cost for said licenses that Alabama residents pay.

Senator Bedsole, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Carothers, Beasley, and Faulk (With Amendment):

H. 588. To amend sections 2-8-126 and 2-8-135, Code of Alabama 1975, relating to referendums authorizing an assessment of certain producers for the promotion of nuts, bulbs, fruits and vegetables; so as to authorize the holding of intermediary referendums to alter or modify the terms of an existing assessment and to further provide for the notice of referendums.

Senator Bedsole, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 211. To provide for the sacking and tagging of oysters taken from Alabama waters for commercial purposes; to prohibit the possession of empty oyster sacks with oyster tags attached thereto; to prohibit the sale, purchase or possession of oysters in violation thereof; to prescribe penalties for the violation thereof; and to provide for the purchase of oyster tags from the Department of Conservation and Natural Resources, and the use of the receipts therefrom.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Campbell (With Notice and Proof):

H. 710. Relating to Calhoun County, amending Act No. 592, S. 456, 1953 Regular Session, as amended, providing a civil service system for the

City of Anniston, so as to provide further for the expense allowance for members of the board.

By Rep. Campbell (With Notice and Proof):

H. 711. To amend further Section 3 of Act No. 592, S. 456, Regular Session 1953 (Acts 1953, p. 838) as last amended by Act No. 85-552, H. 952, Regular Session 1985 (Acts 1985, p. 844), which provides for a civil service system for the city of Anniston in Calhoun County, so as to provide further for certain exemptions.

By Rep. Willis (With Notice and Proof):

H. 739. Relating to Calhoun County; to create a cause of action in favor of the county and affected citizens against subdividers of land who fail to construct roads which conform to minimum county standards; providing further, that this act does not require that the county accept for maintenance any road which does not meet its minimum standards.

By Rep. Crow (With Notice and Proof):

H. 740. Relating to Calhoun County; to forbid the recording of deeds, plats or other documents purporting to convey to Calhoun County any right, title or interest in land unless accompanied by a resolution of the County Commission accepting the transfer.

By Reps. Starkey, Hamilton, and Goodwin (With Notice and Proof):

H. 753. Relating to Lauderdale County; amending Act No. 79-107, H. 171, 1979 Regular Session, which created the office of license commissioner, so as to authorize said commission to issue business licenses by mail.

By Rep. Willis (With Notice and Proof):

H. 775. To authorize Calhoun County, Alabama, to levy an annual license or privilege fee upon any business, except for practicing the religious tenets of any church, and to allow the governing body of Calhoun County, Alabama, to set the amount of any such business or privilege license fee at a rate of from ten dollars to one hundred dollars for each type or category of business in the county and promulgate all necessary or appropriate rules and regulations for the implementation and enforcement of this act.

By Reps. Campbell, Willis, and Crow (With Notice and Proof):

H. 799. To levy and impose on lessors or renters of tangible personal property in Calhoun County an additional license or privilege tax based on the gross proceeds of such business of leasing or renting tangible personal property payable to the license commissioner of Calhoun County, to be deposited into the general fund of the county treasury for the use of Calhoun County.

By Rep. Carter (With Notice and Proof):

H. 877. Relating to Limestone County; authorizing the Limestone County Commission to pay for the reasonable charges of physical examinations, for prospective employees, from the county treasury.

By Rep. Layson (With Notice and Proof):

H. 784. Relating to Pickens County, providing further for the procedure for selling and redeeming lands for taxes.

**REGULAR SESSION**  
**23rd Day**

1425

By Reps. Haynes and Johnson (RG) (With Notice and Proof):

H. 881. To provide for the filing for record and the preservation of all orders, judgments and decrees made and entered by any Judge of the Circuit Court of the 29th Judicial Circuit; to provide for retroactive effect of this act.

By Reps. Haynes and Johnson (RG) (With Notice and Proof):

H. 882. Relating to the City of Talladega, establishing a civil service system, to provide for exempt and classified services and certain exemptions, to establish a civil service board and provide for the appointment, term, qualifications, powers, restrictions, procedure, rules and expenses of board members, to provide for the establishment of a register, filling of vacancies, disciplinary action, complaints by private citizens, political and employee organization activities, transitional period, acts prohibited and criminal penalties.

By Reps. Knight and Hill (With Notice and Proof):

H. 843. To authorize the Shelby County commission to adopt, amend, and provide for the enforcement of certain building codes which shall apply in certain areas in said county; to prescribe the manner of adopting such codes; to authorize said commission to enforce such codes; to authorize the prescription and collection of certain fees necessary to effect the enforcement of such codes; and to prescribe penalties for violation of such codes.

By Rep. Faulk (With Notice and Proof):

H. 850. Relating to Crenshaw County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer and providing for vacancies in said office; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Crenshaw County; and providing for the permissive power of the county commission to adopt the county unit system by passing a resolution to such effect and upon the passage of such resolution by the county commission, the chairman shall notify the secretary of state and the state highway director of the adoption of the county unit system in Crenshaw County.

By Rep. Flowers (With Notice and Proof):

H. 854. To exempt any citizen of Alabama over 65 years of age from paying an admission fee at the Pike County public fishing lake.

By Reps. Johnson (RG) and Haynes (With Notice and Proof):

H. 870. Relating to Talladega County; to exempt from all county or local ad valorem taxes all property owned and used by the Amvets of Alabama, Club Post 25.

By Reps. Johnson (RG) and Haynes (With Notice and Proof):

H. 871. Relating to Talladega County; authorizing and establishing a court of record in Sylacauga, Talladega County, to conduct circuit court proceedings in the branch courthouse at Sylacauga in said county and providing for a referendum on the provisions of this act.

By Rep. Hammett (With Notice and Proof):

H. 872. Relating to Covington County; amending Act No. 86-703, S. 17, 1986 1st Special Session, which authorizes the county commission to levy a sales tax, so as to merely alter the distribution of the proceeds from the tax and in no way affect the amount of the tax.

By Reps. Haynes and Johnson (RG) (With Notice and Proof):

H. 880. To fix the fee for the issuance of pistol permits in Talladega County and provide for the deposit of such fees in a fund known as the Sheriffs Law Enforcement Fund and provide for the use of such fund and to provide that the provisions hereof shall be retroactive.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Black:

H. 15. To reopen the employees' retirement system for Chiefs of Police to purchase retirement credit for any prior period of employment of five years or more in the office of a Sheriff; and to provide for the purchase of said credit at the rate set by an actuarial valuation by the employees' retirement system.

By Senator Langford:

S. 623. To exempt the "Alabama State Association of Elks IBPOE of W," from the payment of all state, county and municipal sales and use taxes.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senator Parsons (With Amendments):

S. 568. To provide additional funding for domestic violence shelters by amending Sections 30-6-6 and 30-6-11 Code of Alabama 1975, as last amended, to delete the limitation on the maximum available to each domestic violence facility, and re-designate the following subsection as subsection (e); to increase the additional fee for marriage licenses provided for therein by \$10.00, from \$5.00 to \$15.00; and to remove language in Section 30-6-11 which refers to a time period which has already passed.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Horn (With Substitute):

S. 651. To make an appropriation from the Alabama Special Educational Trust Fund to the Coalition Against Domestic Violence for the fiscal year 1987-88.



**REGULAR SESSION  
23rd Day**

1427

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator Manley:

S. 467. To amend Section 41-9-41, Code of Alabama 1975, which establishes the Alabama State Council on the Arts and Humanities, so as to change the name of said Council.

By Senators Manley and Langford:

S. 141. To provide a law on deeds in lieu of foreclosure of real estate and provide definitions; set forth the effect of the transfer of the mortgagor's equity of redemption as to the rights and interest of the mortgagor; the rights and interest of the mortgagee; and the rights and interest of any person other than the mortgagor and mortgagee in the mortgaged property.

By Senator Manley (With Substitute):

S. 243. To provide a test for determining whether a person is not guilty by reason of insanity; to establish that a defendant has the burden of proving insanity; to amend Code of Alabama 1975, Section 13A-3-1; to specify the conduct to which this act applies; and to provide for an effective date.

By Senator Ellis (With Amendment):

S. 1. To amend further Code of Alabama 1975, Section 32-5-313, relating to a penalty for a traffic infraction so as to increase the amount of the penalty; to create the Alabama Traffic Safety Center Fund; to provide that the additional amounts shall be used to support programs of the Alabama Traffic Safety Center; and to fund courses in the driver safety, motorcycle safety and boating safety.

By Senators Cabaniss, Bedsole, Drinkard, Dial, Dixon, Manley, Foshee, Corbett, Amari, Holmes, Bennett, Smith (J), Parsons, Smith (B), Covington, Preuit, Figures, and Hilliard:

S. 426. To amend Section 40-18-27, Code of Alabama 1975, relating to income tax returns, so as to extend to an innocent spouse who signs a joint return without knowledge of all entries the same limited liability as granted for federal income tax purposes.

By Senators Bailey, Parsons, Corbett, and Smith (J):

S. 176. To amend Sections 25-8-4, 25-8-8, and 25-8-16, Code of Alabama 1975, so as to bring Alabama's Child Labor statutes into agreement with existing Federal regulations pertaining to working hours of children under age sixteen and establishes additional specific working hours for certain children enrolled in school and also provides for exemptions to established work hours.

By Senator Bailey:

S. 253. Proposing an amendment to the Constitution of Alabama 1901, providing that all of the assets, proceeds or income of the Teachers', Employees', State Police, Public and Judicial Retirement Systems, or any successor systems thereto, and all contributions and payments made to such systems to provide for retirement and related benefits thereunder, shall be held, invested as authorized by law, or disbursed as in trust for the exclusive purpose of providing for such benefits, refunds and administrative expenses

under the management of the boards of control of the aforementioned systems; and providing that none of such assets, proceeds, income, contributions or payments shall be used, loaned, encumbered or diverted to or for any other purpose whatsoever.

By Senator Smith (J):

S. 75. To amend Code of Alabama 1975, §20-2-80 to further define the crime of trafficking in illegal drugs by adding to the list of drugs for which trafficking penalties are provided; to amend Code of Alabama 1975, §20-2-80(6) to replace the provision that a second violation of §20-2-80 is subject to a life without parole sentence with a provision that violations of it are Class A felonies for purposes of Title 13A, including sentencing under the Habitual Felony Offender Act, with certain provisos; to amend Code of Alabama 1975, §20-2-81(a) to further define the restriction on early, conditional, or temporary release of anyone convicted of violating §20-2-80; to amend Code of Alabama 1975, §20-2-81(b) to further define and restrict the circumstances in which the sentence of someone convicted of violating §20-2-80 may be reduced or suspended in return for assistance rendered law enforcement; to provide for incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal any conflicting laws or parts of laws; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

By Senators Bedford, Amari, and Corbett (With Amendments):

S. 490. Renaming the Plumbers Examining Board established by Act No. 529 of the 1949 Regular Session of the Legislature (Acts 1949, p. 827), as amended; continuing the existence of such board; authorizing such board to exercise certain statewide licensing authority over plumbers and gas fitters; defining certain terms relating to plumbing and gas fitting as used in this act; prescribing procedures for appointing successors to the current members of such board; prescribing regulations relative to the scope of authority of local and state licenses issued to plumbers and gas fitters; prescribing procedures for the testing and licensing of plumbers and gas fitters under this act; providing for the compensation and expenses of the members of such board and its hired or contracted employees; authorizing such board to adopt a fee schedule; prescribing procedures for revoking licenses; authorizing such board to enter into certain reciprocity agreements with other states; prescribing penalty for violation of this act and providing for supplemental effect.

By Senator Ellis:

S. 22. To provide for a supplemental appropriation of \$582,722.10 to the University of Montevallo for monies deposited in the state treasury from land transactions from approximately the years 1902 through 1925 to the credit of the University.

By Senators Goodwin, Menton, Smith (B), and Bishop (With Amendments):

S. 300. To amend Section 9-17-6, Code of Alabama 1975, which relates to the state oil and gas board, so as to authorize the board to regulate enhanced recovery methods, including Class II injection wells; and to delegate power and authority to a hearing officer; to amend Section 9-17-24, Code of Alabama 1975, which provides for notification and filing fees prior to drilling wells, so as to authorize the board to collect filing fees and application fees, to establish the Alabama State Oil and Gas Board special fund, and

REGULAR SESSION  
23rd Day

1429

to provide that well permit fees, filing fees and application fees shall be paid into the State Oil and Gas Board Special Fund.

By Senators Goodwin, Menton, Foshee, Denton, and Holmes:

S. 252. To provide for the establishment of a working capital fund from which to pay claims against the State Highway Department's self-insurance program (provided for in Section 23-1-41, Code of Alabama 1975, as amended), in the event that the Director of the Highway Department with the approval of the Governor elects to administer this program with Highway Department personnel. Also, to provide procedures for the establishment and operation of said working capital fund.

**BUDGET ISOLATION RESOLUTION**

Senator Bishop requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Bishop, B. I. R., S. B. 611, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Manley
Amari	Denton	Hale	Menton
Bailey	Dixon	Hand	Parsons
Barron	Drinkard	Hilliard	Pruitt
Bedford	Ellis	Holmes	Rice
Bedsole	Figures	Horn	Sanders
Bishop	Foshee		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 611. To provide in Walker County for the incorporation of the Walker County Industrial Port Authority to own and operate the docks in Cordova; to provide for the management of said Authority by a board of directors; to provide for the appointment and term of office for such board of directors; to prescribe the powers and duties of the Authority; and to provide that this act shall take effect upon the conveyance of the state docks in Cordova to the Walker County Commission as authorized by Amendment No. 454 to the Constitution of Alabama of 1901.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Manley
Amari	Denton	Hale	Menton
Bailey	Dixon	Hand	Parsons
Barron	Drinkard	Hilliard	Pruitt
Bedford	Ellis	Holmes	Rice
Bedsole	Figures	Horn	Sanders
Bishop	Foshee		

—25

*Nays:* —0

**MOTION IN WRITING**

Senator Dixon requested and received permission to suspend the Rules in order to offer the following Motion in Writing, to-wit:

**MOTION IN WRITING**

Notice in Writing having been given on a preceding legislative day, motion is now made to amend the Senate Rules as follows:

Add the following rule as Rule 41 (a)

“RULE 41 (a) Senators shall particularly forbear personal reflections, and no Senator shall name another or make personal remarks in argument or debate.”

Which was read and referred to the Standing Committee on Rules.

**FURTHER CONSIDERATION OF S. B. 286**

The Senate proceeded to further consideration of the Bill, S. B. 286. The question was on the Bennett amendment to the Corbett amendment to the Bill, S. B. 286.

**ADJOURNMENT**

The hour of Midnight having arrived, in accordance with Senate Resolution heretofore adopted, and pending further consideration of the Bill, S. B. 286, the Senate was declared adjourned until Wednesday, July 8, 1987, at 12:01 A.M.

## **TWENTY-FOURTH LEGISLATIVE DAY**

**WEDNESDAY, JULY 8, 1987**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

### **PRAYER**

The Session was opened with prayer by Senator Bobby Denton, First Senatorial District, Florence, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Brett Parker, Episcopal Day School, Gadsden, Alabama.

### **ROLL CALL**

Present:

Senators:	Campbell	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hale	Parsons
Barron	deGraffenried	Hand	Preuitt
Bedford	Denton	Hilliard	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Drinkard	Horn	Smith (B)
Bishop	Ellis	Langford	Smith (J)
Cabaniss	Figures	Manley	

—34

### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JIM SMITH,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Smith (J), the foregoing report was concurred in and the Journal of the Senate for the Twenty-Third Legislative Day was approved by the Senate.

### **LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senator Dial for today.

**UNFINISHED BUSINESS**  
**BILLS ON THIRD READING**

The Senate proceeded to consideration of the Unfinished Business for today, the first of which was the Bill:

S. 286. Relating to all civil actions in tort, contract or otherwise against architects and engineers, and against builders who construct or perform or manage construction of an improvement on or to real property designed by and constructed under the supervision of, or in accordance with, the plans and specifications prepared by an architect or engineer arising out of any defect or deficiency in the design, planning, testing, supervision, administration or observation of construction of an improvement on or to real property, or arising out of any defect or deficiency in the construction of an improvement on or to real property; providing a definite statute of limitations of three years after a cause of action accrues or arises in all such actions; providing a bar to relief for all causes of action and to all rights of action which accrue more than seven years after the substantial completion of construction of an improvement on or to the real property; providing when a cause of action accrues or arises; providing that this act does not apply to causes of action which have accrued prior to its effective date; providing that this act does not create any cause of action against such architects or engineers or builders or any other persons; excluding causes or rights of action against manufacturers of products; extending the bar of causes or rights of actions for breach of contract arising out of written express warranties to coincide with the period thereof; defining certain terms and repealing all conflicting laws.

and pending amendments, which said amendments are set out in the Journal of the Senate for the Twenty-Third Legislative Day.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senators Mitchem and Barron:

S. 683. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Sports Festival for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Barron:

S. 684. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Student Grant Program for the fiscal year 1987-88.

Committee on Finance and Taxation.

By Senators Corbett and Hilliard:

S. 685. To make an appropriation from the Alabama Special Educational Trust Fund to Tuskegee University for the Small Farm Development and Assistance Program for the fiscal year 1987-88.

Committee on Finance and Taxation.

REGULAR SESSION  
24th Day

1433

By Senator Bishop:

S. 686. To make a conditional appropriation from the Special Educational Trust Fund to Faulkner University.

Committee on Finance and Taxation.

By Senators Campbell and Hale (With Notice and Proof):

S. 687. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 687, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders:

S. 688. Proposing an amendment to the Constitution of Alabama relating to combining the offices of tax assessor and tax collector of Greene County.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senator Sanders (With Notice and Proof):

S. 689. Relating to Lowndes County; providing that it shall be unlawful for anyone from any highway or public road to willfully throw or cast headlights or any rays of artificial light from any motor vehicle on to any field, woodland or forest in any attempt to locate deer or any other wildlife with the exception of resident farmers or ranchers who may do so while checking livestock on owned, leased or rented land; and providing for penalties.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 689, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders (With Notice and Proof):

S. 690. Relating to Greene County; providing for an additional expense allowance for the county coroner.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 690, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders:

S. 691. To require the local boards of education and state department of education to implement a procedure to more actively involve a parent, parents, or legal guardians or legal guardian in the public educational process of children in public education, grades K through 12, by requiring such parents, or parent, legal guardians or guardian of each child in such grades to personally pick up his or her report card, grade record or similar official measurement of such child in grades K through 12 of each public school system throughout the state.

Committee on Education.

By Senator Sanders (With Notice and Proof):

S. 692. Relating to Sumter County; to establish in the county treasury an Indigent Health Care Fund to be funded by a portion of the proceeds from certain taxes levied in the county; to create an Indigent Health Care Committee and to provide for appointment of membership; and to authorize such committee to manage, approve and make disbursement of such fund for purpose of indigent health care.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 692, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Sanders (With Notice and Proof):

S. 693. Relating to Greene County; amending Act No. 84-530, H. 239, 1984 Regular Session, which provides for the distribution of the proceeds from the beer tax, so as to provide further for said distribution.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 693, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Rice (With Notice and Proof):

S. 694. Relating to Lee County; providing further for the appointment of the county license inspector.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 694, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 695. Relating to Jefferson County; requiring the county commission to make certain office space provisions in the new Jefferson County Sheriff's



Headquarters building located at Eighth Avenue and 22nd Street, North, in the City of Birmingham for certain personnel in the sheriff's department.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 695, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

### **FURTHER CONSIDERATION OF S. B. 286**

The Senate proceeded to further consideration of the Bill, S. B. 286. The question was on the Bennett amendment to the Corbett amendment.

On motion of Senator Hand, further consideration of the Bill, S. B. 286, and pending amendments, was postponed temporarily.

### **BILLS ON THIRD READING RESUMED**

The Senate then proceeded to consideration of the second item of Unfinished Business for today, which was the Bill:

S. 285. Relating to all civil actions in tort, contract or otherwise against materialmen who provide labor, material and supplies used in the construction of an improvement on or to real property; to provide a definite statute of limitations of three years after a cause of action accrues or arises in all such actions; to provide a bar to relief for all causes of action and to all rights of action which accrue more than seven years after the substantial completion of construction of an improvement on or to the real property; to provide when a cause of action accrues or arises; to provide that this act applies to causes of action which have accrued prior to its effective date; to provide that this act does not create any cause of action against materialmen or any other person; to define terms; and to repeal all conflicting laws.

On motion of Senator Corbett, further consideration of the Bill, S. B. 285, was postponed temporarily.

The Senate then proceeded to consideration of the third item of Unfinished Business for today, which was the Bill:

S. 12. Proposing an amendment to the Constitution of Alabama of 1901, relative to providing for a reserve in the annual budget of the state general fund and the Alabama special educational trust fund.

On motion of Senator Cabaniss, further consideration of the Bill, S. B. 12, was postponed subject to the call of the Chair.

### **RESOLUTIONS**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 162. RELATIVE TO ADJOURNMENT.

BE IT RESOLVED BY THE SENATE OF ALABAMA, That when the Senate adjourns today, Wednesday, July 8, 1987, it adjourns to meet again on Thursday, July 9, 1987 at 12:01 a.m.

On motion of Senator Smith (J), the Resolution was adopted by the Senate.

The Standing Committee on Rules then offered the following Senate Resolution, to-wit:

**S. R. 163. SPECIAL ORDER CALENDAR.**

RESOLVED BY THE SENATE That pursuant to Rule 9 of the Senate rules, the regular order of business is hereby set aside and the following bills shall be the paramount and continuing order of business taking precedence over all other matters until disposed of; further provided that standing committees may report at any time.

BILL NO.	DESCRIPTION	PAGE NO.
S. 147	Motor vehicles, seat belt use req., penalties	31

On motion of Senator Smith (J), the Resolution was adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., S. B. 147, adopted.

Yeas 17; Nays 3.

**Yeas:**

Senators:	Campbell	Foshee	Menton	
Barron	deGraffenried	Goodwin	Mitchem	
Bedsole	Dixon	Hand	Preuitt	
Bennett	Ellis	Manley	Rice	
Cabaniss	Figures			—17

**Nays:**

Senators:	Amari	Covington	Smith (J)	—3
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**SPECIAL ORDER**

**BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

S. 147. To provide for the "Alabama Safety Belt Use Act of 1987"; to require front seat occupants of passenger cars to wear safety belts; to exempt certain persons from the provisions of this act; to prescribe a penalty for violation of the provisions of the act; and to provide for a phased-in implementation.

The Standing Committee on Commerce, Transportation, and Utilities, reported the following substitute for the Bill, S. B. 147, to-wit:

**SUBSTITUTE FOR S. B. 147**

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide further for motor vehicular operation and safety; to amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed at which motor vehicles may be driven so as to increase said limit

on certain roads; to provide for the marking of trucks and maximum speed limit for trucks transporting explosives, flammable liquids or hazardous waste; to require certain front seat occupants of motor vehicles to wear safety seat belts; and to provide for penalties for violations.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The Legislature of the State of Alabama, in accordance with recently enacted federal legislation, recognizes and declares that it is in the interest of the people of Alabama to provide for an increase in the maximum speed limit at which motor vehicles may be operated on certain roads in the State of Alabama. Cognizant also of legitimate and continuing concerns for highway safety, of the need to take precautionary measures to protect the lives of the State's people from motor vehicle accidents, and particularly of the potential impact on highway safety of an increase in the speed limit on certain roads, the Legislature also recognizes and declares that it is in the interest of the people of Alabama to provide for mandatory use of safety seat belts under certain circumstances. It is the Legislature's purpose and intent to eliminate or minimize any potential adverse effect on highway safety as a result of the speed limit increase by contemporaneously providing for mandatory safety seat belt usage by certain motor vehicle occupants.

Section 2. Section 32-5A-171 of the Code of Alabama 1975, is hereby amended to read as follows:

"§32-5A-171.

"Except when a special hazard exists that requires lower speed for compliance with section 32-5A-170, the limits hereinafter specified or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits.

"(1) No person shall operate a vehicle in excess of 30 miles per hour in any urban district.

~~"(2) No person shall operate a passenger vehicle, a passenger bus or any motor truck having a box or express type body, of three quarters of a ton capacity or less, commonly known as pick ups or pick up trucks, at a speed in excess of 55 miles per hour during the hours of daylight or 55 miles per hour during the hours of night unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (4). For the purpose of this chapter daylight shall be one half hour before sunrise to one half hour after sunset.~~

"(2) No person shall operate a motor vehicle on the highways in this state, other than interstate highways, at a speed in excess of 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5).

~~"(3) No person shall operate a truck with a rated capacity of more than 3/4 ton at a rate of speed greater than 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (4).~~

"(3) No person shall operate a motor vehicle, on an interstate highway within the state of Alabama, at a speed in excess of 55 miles per hour in urban areas of fifty thousand population or more in excess of 65 miles per hour outside such urban areas unless a different maximum rate of speed is permitted or allowed by the Federal Highway Administration, or unless a

different maximum rate of speed is authorized by the governor under authority granted in subdivision (5) hereof.

“(4) Notwithstanding any provisions of this section to the contrary, no person shall operate a passenger vehicle, motor truck or passenger bus which carries or transports explosives or flammable liquids, as defined in Section 32-1-1.1, Code of Alabama 1975, or hazardous wastes, as defined in Section 22-30-3(5), Code of Alabama 1975, in this state unless the vehicle, truck or bus prominently displays a current decal, plate or placard which is required by the rules or regulations of the DOT or the PSC which indicates or warns that the vehicle, truck or bus is carrying or transporting such substances. No person shall operate such vehicle, truck or bus at a rate of speed greater than 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5).

“(4) (5) The governor is hereby specifically authorized to prescribe the maximum rate of speed whenever a different rate of speed is required by federal law in order for Alabama to receive federal funds for highway maintenance and construction.

“(5) (6) The maximum speed limits set forth in this section may be altered as authorized in sections 32-5A-172 and 32-5A-173.”

Section 3. (a) For purposes of this section, the term “passenger car” means a motor vehicle with motive power designed for carrying ten or fewer passengers. Such term does not include a motorcycle or a trailer.

(b) (1) Each front seat occupant of a passenger car manufactured with safety belts in compliance with Federal Motor Vehicle Safety Standard No. 208 shall have a safety belt properly fastened about his body at all times when the vehicle is in motion.

(2) The provisions of subsection (1) of this section shall not apply to:

a. A child passenger using a child passenger restraint system pursuant to section 32-5-222, Code of Alabama 1975.

b. An occupant of a passenger car who possesses a written statement from a licensed physician that he is unable for medical reasons to wear a safety belt.

c. A rural letter carrier of the United States Postal Service while performing his duties as a rural letter carrier.

d. A driver or passenger delivering newspapers or mail from house to house.

e. Passengers in a passenger car with a model year prior to 1965.

f. Passengers in motor vehicles which normally operate in reverse.

(c) Any person violating the provisions of this section may be fined up to \$20.00. The violation of the provisions of this section shall not constitute probable cause for search of the vehicle involved.

(d) Notwithstanding any provision of law to the contrary, no citation or warrant for arrest shall be issued for a violation of this section unless a person is stopped by a law enforcement officer for a separate violation of law and is issued a citation or warrant for arrest for the separate violation of law.

(e) Failure to wear a safety belt in violation of this section shall not be considered evidence of contributory negligence and shall not limit the liability of an insurer, nor shall the conviction be entered on the driving record of any individual charged under the provisions of this section.

(f) The period from the effective date of this act until twelve months thereafter shall be a warning period in which persons who violate the provisions of this section shall be issued a verbal warning or warning citation by the proper law enforcement officer, but no monetary fine shall be assessed against the offender. At the conclusion of the said warning period, all provisions of this section shall be in full force and effect.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Senator Corbett offered the following substitute No. 1 for the Committee substitute for the Bill, S. B. 147, to-wit:

**SUBSTITUTE NO. 1 FOR COMMITTEE SUBSTITUTE  
FOR S. B. 147**

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide further for motor vehicular operation and safety; to amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed at which motor vehicles may be driven so as to increase said limit on certain roads; to provide for the marking of trucks and maximum speed limit for trucks transporting explosives, flammable liquids or hazardous waste; to require certain front seat occupants of motor vehicles to wear safety seat belts; and to provide for penalties for violations.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The Legislature of the State of Alabama, in accordance with recently enacted federal legislation, recognizes and declares that it is in the interest of the people of Alabama to provide for an increase in the maximum speed limit at which motor vehicles may be operated on certain roads in the State of Alabama. Cognizant also of legitimate and continuing concerns for highway safety, of the need to take precautionary measures to protect the lives of the State's people from motor vehicle accidents, and particularly of the potential impact on highway safety of an increase in the speed limit on certain roads, the Legislature also recognizes and declares that it is in the interest of the people of Alabama to provide for mandatory use of safety seat belts under certain circumstances. It is the Legislature's purpose and intent to eliminate or minimize any potential adverse effect on highway safety as a result of the speed limit increase by contemporaneously providing for mandatory safety seat belt usage by certain motor vehicle occupants.

Section 2. Section 32-5A-171 of the Code of Alabama 1975, is hereby amended to read as follows:

"§32-5A-171.

"Except when a special hazard exists that requires lower speed for compliance with section 32-5A-170, the limits hereinafter specified or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits.

"(1) No person shall operate a vehicle in excess of 30 miles per hour in any urban district.

~~"(2) No person shall operate a passenger vehicle, a passenger bus or any motor truck having a box or express type body, of three quarters of a ton capacity or less, commonly known as pick ups or pick up trucks, at a speed in excess of 55 miles per hour during the hours of daylight or 55 miles per hour during the hours of night unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (4). For the purpose of this chapter daylight shall be one half hour before sunrise to one half hour after sunset.~~

"(2) No person shall operate a motor vehicle on the highways in this state, other than interstate highways, at a speed in excess of 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5).

~~"(3) No person shall operate a truck with a rated capacity of more than 3/4 ton at a rate of speed greater than 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (4).~~

"(3) No person shall operate a motor vehicle, on an interstate highway within the state of Alabama, at a speed in excess of 55 miles per hour in urban areas of fifty thousand population or more or in excess of 65 miles per hour outside such urban areas unless a different maximum rate of speed is permitted or allowed by the Federal Highway Administration, or unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5) hereof.

"(4) Notwithstanding any provisions of this section to the contrary, no person shall operate a passenger vehicle, motor truck or passenger bus which carries or transports explosives or flammable liquids, as defined in Section 32-1-1.1, Code of Alabama 1975, or hazardous wastes, as defined in Section 22-30-3(5), Code of Alabama 1975, in this state unless the vehicle, truck or bus prominently displays a current decal, plate or placard which is required by the rules or regulations of the DOT or the PSC which indicates or warns that the vehicle, truck or bus is carrying or transporting such substances. No person shall operate such vehicle, truck or bus at a rate of speed greater than 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5).

"(4) (5) The governor is hereby specifically authorized to prescribe the maximum rate of speed whenever a different rate of speed is required by federal law in order for Alabama to receive federal funds for highway maintenance and construction.

"(5) (6) The maximum speed limits set forth in this section may be altered as authorized in sections 32-5A-172 and 32-5A-173."

Section 3. (a) For purposes of this section, the term "passenger car" means a motor vehicle with motive power designed for carrying ten or fewer passengers. Such term does not include a motorcycle or a trailer.

(b) (1) Each front seat occupant of a passenger car manufactured with safety belts in compliance with Federal Motor Vehicle Safety Standard No. 208 shall have a safety belt properly fastened about his body at all times when the vehicle is in motion.

(2) The provisions of subsection (1) of this section shall not apply to:

a. A child passenger using a child passenger restraint system pursuant to section 32-5-222, Code of Alabama 1975.

b. An occupant of a passenger car who possesses a written statement from a licensed physician that he is unable for medical reasons to wear a safety belt.

c. A rural letter carrier of the United States Postal Service while performing his duties as a rural letter carrier.

d. A driver or passenger delivering newspapers or mail from house to house.

e. Passengers in a passenger car with a model year prior to 1965.

f. Passengers in motor vehicles which normally operate in reverse.

(g) (c) Failure to wear a safety belt in violation of this section shall not be considered evidence of contributory negligence and shall not limit the liability of an insurer.

(d) Persons who violate the provisions of this section shall be issued a verbal warning by the proper law enforcement officer, but no monetary fine shall be assessed against the offender.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Goodwin, said substitute was laid on the table.

Yeas 15; Nays 6.

Yeas:

Senators:	Campbell	Ellis	Horn
Bedsole	deGraffenried	Foshee	Manley
Bennett	Denton	Goodwin	Menton
Cabaniss	Dixon	Hand	Mitchem

*Nays:*

Senators:	Corbett	Hale	Preuitt	
Amari	Covington	Langford		—6

Senator Corbett then offered the following substitute No. 2 for the Committee substitute for the Bill, S. B. 147, to-wit:

**SUBSTITUTE NO. 2 FOR COMMITTEE SUBSTITUTE  
FOR S. B. 147**

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide further for motor vehicular operation and safety; to amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed at which motor vehicles may be driven so as to increase said limit on certain roads; to provide for the marking of trucks and maximum speed limit for trucks transporting explosives, flammable liquids or hazardous waste.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The Legislature of the State of Alabama, in accordance with recently enacted federal legislation, recognizes and declares that it is in the interest of the people of Alabama to provide for an increase in the maximum speed limit at which motor vehicles may be operated on certain roads in the State of Alabama. Cognizant also of legitimate and continuing concerns for highway safety, of the need to take precautionary measures to protect the lives of the State's people from motor vehicle accidents, and particularly of the potential impact on highway safety of an increase in the speed limit on certain roads.

Section 2. Section 32-5A-171 of the Code of Alabama 1975, is hereby amended to read as follows:

“§32-5A-171.

“Except when a special hazard exists that requires lower speed for compliance with section 32-5A-170, the limits hereinafter specified or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits.

“(1) No person shall operate a vehicle in excess of 30 miles per hour in any urban district.

~~“(2) No person shall operate a passenger vehicle, a passenger bus or any motor truck having a box or express type body, of three quarters of a ton capacity or less, commonly known as pick ups or pick up trucks, at a speed in excess of 55 miles per hour during the hours of daylight or 55 miles per hour during the hours of night unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (4). For the purpose of this chapter daylight shall be one half hour before sunrise to one half hour after sunset.~~

“(2) No person shall operate a motor vehicle on the highways in this state, other than interstate highways, at a speed in excess of 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5).



~~"(3) No person shall operate a truck with a rated capacity of more than 3/4 ton at a rate of speed greater than 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (4).~~

"(3) No person shall operate a motor vehicle, on an interstate highway within the state of Alabama, at a speed in excess of 55 miles per hour in urban areas of fifty thousand population or more or in excess of 65 miles per hour outside such urban areas unless a different maximum rate of speed is permitted or allowed by the Federal Highway Administration, or unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5) hereof.

"(4) Notwithstanding any provisions of this section to the contrary, no person shall operate a passenger vehicle, motor truck or passenger bus which carries or transports explosives or flammable liquids, as defined in Section 32-1-1.1, Code of Alabama 1975, or hazardous wastes, as defined in Section 22-30-3(5), Code of Alabama 1975, in this state unless the vehicle, truck or bus prominently displays a current decal, plate or placard which is required by the rules or regulations of the DOT or the PSC which indicates or warns that the vehicle, truck or bus is carrying or transporting such substances. No person shall operate such vehicle, truck or bus at a rate of speed greater than 55 miles per hour at any time unless a different maximum rate of speed is authorized by the governor under authority granted in subdivision (5).

"(4) (5) The governor is hereby specifically authorized to prescribe the maximum rate of speed whenever a different rate of speed is required by federal law in order for Alabama to receive federal funds for highway maintenance and construction.

"(5) (6) The maximum speed limits set forth in this section may be altered as authorized in sections 32-5A-172 and 32-5A-173."

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Goodwin, said substitute was laid on the table.

Yeas 14; Nays 10.

Yeas:

Senators:	Campbell	Foshee	Mitchem	
Bedsole	Denton	Goodwin	Parsons	
Bennett	Dixon	Horn	Rice	
Cabaniss	Ellis	Menton		—14

Nays:

Senators:	Covington	Hand	Preuitt	
Amari	deGraffenried	Langford	Smith (J)	
Corbett	Hale	Manley		—10

### MOTION TO RECESS LOST

At 5:15 A.M., Senator Parsons moved that the Senate recess until 2 o'clock P.M. this afternoon, which motion was lost.

**RECESS**

At 5:16 A.M., on motion of Senator Parsons, the Senate took a recess until 1:55 P.M.

Yeas 14; Nays 10.

*Yeas:*

Senators:	Corbett	Hale	Mitchem	
Amari	Covington	Langford	Parsons	
Bedsole	Denton	Manley	Rice	
Bennett	Dixon	Menton		—14

*Nays:*

Senators:	deGraffenried	Goodwin	Preuitt	
Cabaniss	Ellis	Hand	Smith (J)	
Campbell	Foshee	Horn		—10

The recess period having expired, the Senate was called to order by President Pro Tempore deGraffenried. A quorum of the Senate was present.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

**RECESS**

At 2 o'clock P.M., on motion of Senator Corbett, the Senate took a recess subject to the call of the Chair.

At 2:50 P.M., the Senate was called to order by President Pro Tempore deGraffenried. A quorum of the Senate was present.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

**RESOLUTIONS**

Senator Manley requested and received permission to suspend the Rules in order to offer the following Senate Resolution, to-wit:

**S. R. 164. REQUESTING ADVISORY OPINION OF THE SUPREME COURT.**

**BE IT RESOLVED BY THE SENATE OF THE ALABAMA LEGISLATURE,** That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions on the following important constitutional questions which have arisen concerning the pending bill SB 668, copies of which are attached to this resolution and made a part hereof by reference.

1. Section 45 of the Constitution of 1901 refers to "general appropriation bills." Is SB 668 a general appropriation bill as said term is used in Section 45 and therefore excepted from the provisions of Section 45 requiring that "each law shall contain but one subject, which shall be clearly expressed in its title"?

2. Does SB 668 violate the provision of Section 45 which requires that "each law shall contain but one subject, which shall be clearly expressed in its title"?

3. Does SB 668 violate Section 71 of the Constitution of 1901 which requires that all appropriations, other than appropriations in the general appropriation bill, shall be made by separate bills, each embracing but one subject?

RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send sufficient true copies of said pending bill to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this resolution.

Which was read and referred to the Standing Committee on Rules.

Senator Manley then requested and received permission to suspend the Rules in order to offer the following Senate Resolution, to-wit:

S. R. 165. REQUESTING ADVISORY OPINION OF THE SUPREME COURT.

BE IT RESOLVED BY THE SENATE OF THE ALABAMA LEGISLATURE, That we respectfully request that Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions on the following important constitutional questions which have arisen concerning the pending bill SB 667, copies of which are attached to this resolution and made a part hereof by reference.

1. Section 45 of the Constitution of 1901 refers to "general appropriation bills." Is SB 667 a general appropriation bill as said term is used in Section 45 and therefore excepted from the provisions of Section 45 requiring that "each law shall contain but one subject, which shall be clearly expressed in its title"?

2. Does SB 667 violate the provision of Section 45 which requires that "each law shall contain but one subject, which shall be clearly expressed in its title"?

3. Does SB 667 violate Section 71 of the Constitution of 1901 which requires that all appropriations, other than appropriations in the general appropriation bill, shall be made by separate bills, each embracing but one subject?

RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send sufficient true copies of said pending bill to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this resolution.

Which was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 73. To amend Section 6-5-332, Code of Alabama, 1975, relating to rendering first aid or emergency care at the scene of an accident so as to include education employees.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 48. To establish the venue for all civil actions for damages for personal injury, death or property damage filed against a county or against a municipality.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 48. To establish the venue for all civil actions for damages for personal injury, death or property damage filed against a county or against a municipality.

Also:

H. 73. To amend Section 6-5-332, Code of Alabama, 1975, relating to rendering first aid or emergency care at the scene of an accident so as to include education employees.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 449. To amend the title and section 1 of Act No. 80-783, S. 599 of the 1980 Regular Session (Acts 1980, p. 1617) providing a county salary supplement for the circuit judges in the Thirty-ninth Judicial Circuit so to provide further for such salary supplements.

Also:

S. 354. Relating to Clay County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, abolishing the

REGULAR SESSION  
24th Day

1447

offices of tax assessor and tax collector, repealing conflicting laws; and providing for a referendum thereon.

Also:

S. 497. Relating to Calhoun County; authorizing the county commission and the governing bodies of the municipalities located within the county to establish reasonable criteria for the issuance and renewal of licenses for the sale of alcoholic beverages.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 241. Relating to Tuscaloosa County; to amend Sections 10 and 11 of Act No. 80-618, H. 852, Regular Session 1980, (Acts 1980, p. 1054), which established a public defender office in Tuscaloosa County, so as to increase court costs taxed in the circuit and district courts payable to the public defender fund.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 321. To propose an amendment to the Constitution of Alabama of 1901, to authorize the county governing body and the governing body of any municipality in Calhoun County to appropriate public funds to any non-profit charity and to provide that the provisions of this amendment shall be self-executing.

Also:

S. 534. Relating to Madison County; to amend Section 1 of Act No. 80-277 of the 1980 Regular Session, (Acts of 1980, p. 366), entitled, "An Act Relating to Madison County; to provide alternative methods of funding a legislative delegation office and to reallocate Madison County's share of payments made by the Tennessee Valley Authority to the state in lieu of ad valorem taxes," so as to provide that in addition to its annual budget allocation, the legislative delegation is authorized to receive a separate allocation for extraordinary purchase of equipment, not to exceed 10% of its budget, as needed.

JOHN W. PEMBERTON,  
Clerk.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

**UNANIMOUS CONSENT GRANTED**

Senator Horn requested and received unanimous consent for the Standing Committee on Finance and Taxation to meet while the Senate is in session today.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 597. To propose an Amendment to the Constitution of Alabama of 1901 levying a one (1) mill property tax on real property located in Houston County, excluding property located in the City of Dothan; subject to a petition for subsequent elections if submitted every four years by ten percent of the registered voters; and to provide that the net proceeds of such tax, if approved, shall be used only for fire fighting and fire prevention purposes in Houston County outside the city limits of Dothan.

JOHN W. PEMBERTON,  
Clerk.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

On motion of Senator Manley, further consideration of the Bill, S. B. 147, and pending substitute, was postponed subject to the call of the Chair.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Richardson:

H. 769. To provide for the operation of "private commercial fish ponds" in private fresh waters; to provide for the exemption of persons taking fish therefrom or fishing therein from obtaining any state fishing license; to provide that the title to all fish in and of the private fresh waters of the state is vested in the private owner thereof and may be harvested without limitation at the discretion of the owner or operator thereof; and to provide for the repeal of conflicting laws.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 769—to the Committee on Agriculture, Conservation, and Forestry

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Perdue (With Notice and Proof):

H. 648. Relating to Jefferson County; to create a public corporation for the purposes of flood control in circumstances affecting urban areas in Jefferson County, to be known as the Jefferson County Flood Control Authority, with its principal office to be located in the City of Birmingham; to provide for a board of directors, prescribe the method of appointment and compensation of directors, their duties, powers, and authority; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects; to provide that the debts and obligations of the Authority shall not be the debts or obligations of the State of Alabama, or any county or municipality therein; and to exempt the Authority and its property from state, county, and municipal taxation.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 648, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 648—to the Committee on Local Legislation No. 2

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Burke, Drake, Laird, Clark (J), Layson, Butler, Lindsey, Mathis, Campbell, Beasley, Blake, Carter, Cosby, Reed, White (L), Warren, Fuller, Hammett, Adams, Clark (W), Gaston, Zoghby, Box, Grouby, Crow, Johnson (RW), Willis, Hogan, Walker, Mikell, Bowling, Melton, Moon, Knight, Curry, McKee, Logan, Payne, Beers, White (G), Gray, McClain, Holley, Higginbotham, Harper, Faulk, Penry, Johnson (RG), Carothers, Holmes, Frazier, Kvalheim, Thomas, Buskey (JE), Richardson, Brooks, Perdue, Turner, McMillan, Venable, Britnell, Newman, Blakeney, Breedlove, Bryant, Hettinger, Bugg, Rains, Freeman, Marks, Dillard, Headley, Spratt, Junkins, Hamilton, Wright, Williams, Harvey, Haynes, and Hooper:

H. 667. To establish the Alabama Athlete Agents Regulatory Commission; to provide for membership, terms, and duties to require agents for

athletes to register and be licensed in this state; to provide for revocation of registration; to provide for filing and registration fees; to require agents to post surety bonds; to provide for disposition of the proceeds from registrations and fines; to provide for the contents and approval of contracts; to prohibit certain activities; to provide further for actions against agents; to provide for an appellate procedure from decisions of the commission; to provide for a procedure for arbitration; and to provide for penalties for violations.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 667—to the Committee on Education

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Newton and Perdue (With Notice and Proof):

H. 910. To amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recomp. 1958) to provide a salary for members of the Park and Recreation Board of the City of Birmingham who are not members of the governing body of the City of Birmingham.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 910, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 910—to the Committee on Local Legislation No. 2

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Turnham, Cosby, Burke, and Beasley:

H. 231. To authorize the State Board of Health to designate the services rendered by the State Board of Health and County Health Departments for



which a reasonable fee may be charged and to set the appropriate fee for each service; to specify certain inspection and other services for which fees may not be charged pursuant to this act; to provide that all fees collected by any County Health Department pursuant to this act for vaccinations and inoculations shall be used by such department to pay for the costs of its vaccination and inoculation programs or for perinatal or pediatric health care for the indigent; to provide that charges shall not be made to persons unable to pay and to provide for confidentiality in the determination of any person's ability to pay; to provide that this act shall not repeal or modify local acts concerning the same subject; to provide that the Administrative Procedure Act shall apply to this act; and to prohibit the State Board of Health or any County Health Department from using the provisions of this act to compete unfairly with private laboratories.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 231—to the Committee on Finance and Taxation

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Rogers, Davis, McClain, Spratt, Escott, White (G), and Slaughter (With Notice and Proof):

H. 549. To further provide for the regulation of horse racing and pari-mutuel wagering thereon; to amend Sections 11-65-2, 11-65-16, 11-65-19 and 11-65-22, Code of Alabama 1975, relating to the requirements that must be satisfied by any person applying for a license to own or operate a horse racing facility and any person holding or acquiring an interest in the holder of such an owner's or operator's license, so as to eliminate any requirement that any such person (or any director or officer thereof) must be or must have been for any specified period of time a resident of the State of Alabama or must apply for permission to acquire an interest in the owner or operator and any limitation on the percentage of ownership that may be acquired in an owner or an operator by one person or family group; to provide that ownership of an interest in an owner or operator may not be held or acquired by a disqualified person and to allow a commission to require the disposition of the interest of any person in an owner or operator if such person is a disqualified person; to amend Section 11-65-10, Code of Alabama 1975, relating to the powers and duties of a racing commission; to amend Section 11-65-2, Code of Alabama 1975, to include a definition of a "disqualified person"; and to provide that the provisions of this act shall apply prospectively.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 549, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 549—to the Committee on Local Legislation No. 2

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. McDowell:

H. 507. To amend Section 11-42-5, Code of Alabama 1975, which relates to the validation of certain prior Class 5 municipal annexations so as to bring forward the cut-off date of such prior annexations.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 507—to the Committee on Governmental Affairs

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Laird:

H. 958. To propose an amendment to the Constitution of Alabama of 1901, to authorize the levy and collection of an additional property tax within the Roanoke School District, Randolph County, for public education purposes.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 958—to the Committee on Local Legislation No. 1

(The above Bill was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Lindsey, Hall, Junkins, Richardson, and Moon:

H. 414. To amend §2-14-1 by defining the terms "board" and "pest"; to amend §§2-14-2, 2-14-4, 2-14-5, 2-14-6, 2-14-9, 2-14-10, 2-14-11, 2-14-12, 2-14-13 and 2-14-14 by replacing the term "infectious and contagious diseases" to read "pests"; to amend §2-14-11 to allow indemnity to be paid to registered beekeepers upon destruction of their bees and equipment.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 414—to the Committee on Health

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hooper, Clark (J), Campbell, Thomas, Butler, Burke, Gaston, Kvalheim, Carter, and Walker:

H. 719. To authorize the establishment of "enterprise zones," pursuant to state tax and other incentives in order to promote job creation and economic development; to provide for the duties and authority of the Alabama Department of Economic and Community Affairs, the Alabama Department of Industrial Relations, the Alabama Development Office, the Department of Revenue, and the local governing bodies; to provide the requirements for participation; to provide for state and local tax and nontax incentives; and to provide with respect to financing, for financial assistance to municipalities and individuals and businesses under any act of the Congress of the United States heretofore or hereafter enacted.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 719—to the Committee on Business and Labor Relations

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Hammett (With Notice and Proof):

H. 927. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 927, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Johnson (RG) (With Notice and Proof):

H. 922. To provide that the City Council of the City of Sylacauga, Alabama, Talladega County, may by ordinance, adopted not less than six (6) months prior to the regular municipal election, divide the municipality into single-member districts; to provide residency requirements for candidates seeking election to the council from said districts; to provide that candidates for council member be elected by only the electors of the district they wish to represent; to provide procedures for filling a vacancy in the office of the mayor in any such municipality; and to require the municipal clerk to file a certified copy of the ordinance, together with a map or plat of the city or town showing the boundaries of such districts, with the Probate Judge of the county or counties in which the municipality is located.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 922, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 927 and 922—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hogan (With Notice and Proof):

H. 712. Relating to Walker County; amending Act No. 113, H. 69, 1965 First Special Session, which establishes a civil service system for the City

of Jasper, so as to provide further for the compensation of members of the Civil Service Board.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 712, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 712—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Melton (With Notice and Proof):

H. 742. To authorize the City of Tuscaloosa, Tuscaloosa County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 742, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Headley (With Notice and Proof):

H. 955. Relating to Chilton County; abolishing the office of county treasurer; investing all the duties and powers of the county treasurer under the supervision of a county official designated as county administrator; and providing for the appointment and compensation of such county administrator.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 955, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 742 and 955—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Johnson (RG) (With Notice and Proof):

H. 956. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 956, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Venable and Mikell (With Notice and Proof):

H. 962. Relating to Elmore County; providing for a special indexing fee on documents filed in the office of the judge of probate.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 962, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 956 and 962—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Lindsey (With Notice and Proof):

H. 971. Relating to Cleburne County, to provide that the probate judge shall be paid on a pro-rata basis out of the ad valorem tax proceeds collected each year into the county general fund, effective October 1, 1987; to create a special account in the general fund for such taxes collected, and to authorize the probate judge to attend professional conventions, workshops and other professional seminars or meetings and to become a member of professional organizations, all of which is to be paid from the funds remaining in said special account after the judge is compensated.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 971, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Lindsey (With Notice and Proof):

H. 972. Relating to Cleburne County and the position of license inspector; providing that the county license inspector shall be appointed by the county commission which shall determine whether such position shall be full-time or part-time; prescribing that the county commission shall set his duties and powers and compensation; and specifically repealing Act No. 79-482, H. 986, Regular Session 1979 (Acts 1979, p. 890), placing such powers and duties in the sheriff of the county; and repealing any laws or parts of laws in conflict herewith.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 972, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 971 and 972—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 928. Relating to Clarke County; providing further for the qualifications of the county superintendent of education.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 928, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 928—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Faulk (With Notice and Proof):

H. 888. Relating to the Assistant District Attorney of Crenshaw County and providing further for the compensation of such office and the authority of the Crenshaw County Commission to make certain increases in the compensation, from time to time, for such office; providing that the provisions of this act shall be retroactive to October 1, 1983.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 888, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. McMillan and Penry (With Notice and Proof):

H. 933. Relating to the Twenty-eighth Judicial Circuit; providing for certain county salary supplements for the circuit judges and district attorney in said circuit in lieu of any local salary supplements and expense allowances heretofore provided by law for such judges and district attorney; prescribing the manner and time frame within which such county salary supplements shall be paid from the county general fund of the county containing said circuit and prescribing certain conditions which may be relative to the payment of such salary supplements.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 933, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.



**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 888 and 933—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hamilton (With Notice and Proof):

H. 894. Relating to Limestone County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any rays of artificial light in a certain manner and under certain conditions; to provide for certain exceptions and to prescribe penalty for violation.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 894, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Layson (With Notice and Proof):

H. 946. Relating to Pickens County; to provide further for the expense allowance of the county coroner and to provide for retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 946, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 894 and 946—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Parker (With Notice and Proof):

H. 945. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 945, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 945—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Payne, White (G), and Newton (With Notice and Proof):

H. 658. Relating to Jefferson County; to amend Section 4 and Section 6 of Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Acts 1965, p. 797), as amended, relating to the Board of Directors for a civic center authority and to the civic center authority itself in certain counties classified on a population basis, so as to provide further for the procedure for selecting the members of such board, and to further provide additional powers of such authority.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 658, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. McDowell (With Notice and Proof):

H. 975. To provide for a temporary expense allowance and for a salary increase for the Elected Deputy Treasurer in the Bessemer Division of Jefferson County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 975, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 658 and 975—to the Committee on Local Legislation No. 2

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Fuller and Laird (With Notice and Proof):

H. 929. Relating to Chambers County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for industrial development purposes and providing for a referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 929, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Turnham and Higginbotham (With Notice and Proof):

H. 930. Relating to Lee County; authorizing the Lee County Board of Health to annually fix a schedule of fees for services rendered pursuant to the duties with which the board is charged; to provide for the annual examination and approval of such fee schedules by the county commission; to authorize the exemption of certain persons from paying said fees; to authorize the county board of health to promulgate rules and regulations proper for the administration of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 930, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 929 and 930—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Adams, Hooper, Hammett, and Starkey:

H. 792. To amend Section 41-9-201(a), Code of Alabama 1975, which establishes the office of the Director of Development, so as to establish qualifications of office of Director of Development and provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$25,742.00 the highest authorized salary for employees of

the Alabama Development Office who are subject to the provisions of the merit system law.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 792—to the Committee on State Development and Tourism

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Marietta, Box, Gaston, Kvalheim, Zoghby, Harper, Penry, McMillan, and Hooper:

H. 802. To amend Section 33-1-3, Code of Alabama 1975, which establishes the office of the Director of state docks, so as to establish the qualifications of the office and to provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$5,000.00 the highest authorized salary for employees of the department in the classified service of the state.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 802—to the Committee on State Development and Tourism

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Mikell:

H. 717. To amend Section 44-1-29, Code of Alabama 1975, to require the Department of Youth Services to use the facilities of the state purchasing agent.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 717—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. McKee:

H. 678. Establishing a communications bureau within the data systems management division of the department of finance; providing for the acquisition of telecommunications equipment, systems and related services on behalf of state agencies; prescribing procedures for such acquisition; authorizing the promulgation of rules and regulations; prescribing powers and duties.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 678—to the Committee on State Development and Tourism

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Slaughter, Curry, White (G), McDowell, McClain, and Petelos (With Notice and Proof):

H. 896. To provide for the appointment, duties and compensation of six Deputy District Attorneys in the Tenth Judicial Circuit of Alabama, Bessemer Division.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 896, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 896—to the Committee on Local Legislation No. 2

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Venable:

H. 721. To amend Section 35-10-8, Code of Alabama 1975, relating to how notices of mortgage foreclosure sales are made, so as to provide how the notice of sale is made when there is no newspaper published in the county.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 721—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Turnham, Penry, Burke, Wright, Hammett, Laird, Zoghby, Richardson, White (G), Lindsey, Williams, Goodwin, Gray, Coburn, Marietta, White (F), Thomas, Freeman, Drake, Rogers, Walker, Carothers, Willis, Crow, Frazier, Hogan, McKee, Buskey (JL), Carter, Beasley, Mathis, Hill, McDowell, Hettinger, Johnson (RW), Box, Junkins, Fuller, Cosby, Ford, Bugg, Britnell, Turner, Spratt, Gaston, and Petelos:

H. 581. Relating to the regulation of all contracts of insurance or plans or agreements for health care services, so as to provide that such contracts, plans or agreements shall cover and include payment to or for a licensed professional nurse for services provided.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 581—to the Committee on Business and Labor Relations

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Faulk, Grouby, Turner, Carothers, Beasley, Mathis, Johnson (RG), Thomas, Rains, White (L), Flowers, Holley, Williams, White (F), Carter, Ford, and Penry:

H. 192. To amend §40-23-4 relating to exemption from collection of sales tax of various items and transactions to further exempt the gross proceeds of sales of sugar or other products to be used exclusively as food for bees by commercial beekeepers for their own bees.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 192—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Marks, Parker, and Dillard:

H. 830. To amend Section 12-13-41, Code of Alabama 1975, which relates to duties of probate judges of this state, so as to allow the probate judge to maintain a single bound volume, or single data source, for the registration of deeds of conveyance, mortgages and other instruments to secure the payment of debt.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 830—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Slaughter (With Notice and Proof):

H. 885. To further amend Act No. 921 of the 1951 Regular Session, as amended, and as further amended and restated in Act No. 1272 of the

1973 Regular Session of the Legislature of Alabama, as amended (Acts, 1973, pp. 2124, et seq.), which Act, as amended, provides a retirement and relief system for officers and employees of each city of the State of Alabama having a population of 250,000 or more inhabitants according to the last or any succeeding federal census to provide a retirement benefit for officers or employees of such cities who have attained the age of seventy (70) years or more, who have ten (10) or more but fewer than fifteen (15) years of credited service.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 885, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Slaughter (With Notice and Proof):

H. 886. Relating to Class I municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 886, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 885 and 886—to the Committee on Local Legislation No. 2

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. White (L) (With Notice and Proof):

H. 857. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Jackson Gap, in Tallapoosa County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 857, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Seibels, Perdue, Spratt, Petelos, White (G), and Gray (With Notice and Proof):

H. 891. To authorize the Board of Managers of the City of Birmingham Retirement and Relief System to consider the application of A. Joyce Seale



**REGULAR SESSION  
24th Day**

1467

to purchase creditable time in the retirement and relief fund for time served in the civil defense corps and to allow such purchase if, in the judgment of the board of managers, such purchase is reasonable, and to provide for the conditions and limitations applying to such purchase, and to set an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 891, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 857—to the Committee on Local Legislation No. 1

H. B. 891—to the Committee on Local Legislation No. 2

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Holley (With Notice and Proof):

H. 899. To alter or rearrange the boundary lines of the City of Elba, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 899, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 899—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. McMillan, Clark (J), Johnson (RW), and Kvalheim:

H. 697. To amend Section 16-13-184, Code of Alabama 1975, which relates to the conduct of elections, so as to provide further for the voting hours for county elections regarding school taxes.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 697—to the Committee on Education

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. White (L) (With Notice and Proof):

H. 856. Relating to Tallapoosa County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 856, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 856—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (RG):

H. 762. To provide for an annual program of continuing education for municipal chiefs of police; to provide that chiefs who fail to comply with this act shall be subject to having his certification revoked by the Alabama Peace Officers Standards and Training Commission.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 762—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Gaston, Harper, Kvalheim, Breedlove, Marietta, Buskey (JE), Clark (W), Kennedy, Zoghby, McMillan, Penry, and Box:

H. 132. To amend Sections 40-23-4 and 40-23-62, Code of Alabama 1975, relating to exemptions from sales and use taxes, so as to provide further for the exemption of the sale of fuel and supplies for certain vessels; the materials, equipment, and machinery which become a component part of vessels; and certain equipment used in offshore federal waters.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 132—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Slaughter and White (G):

H. 600. Proposing an amendment to the Constitution of Alabama authorizing the investment of Alabama's Heritage Trust Fund's capital and income as authorized for the investment of funds of the Alabama trust fund, and providing that any capital gains taken on the sale of any securities shall become a part of the trust capital of the Alabama Heritage Trust Fund.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 600—to the Committee on Finance and Taxation

(The above Bill was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Walker, Buskey (JL), McKee, and Mikell (With Notice and Proof):

H. 808. Relating to Montgomery County; authorizing the Montgomery County Commission and the Montgomery County Sheriff's Department to prohibit the overgrowth of weeds, the storage and accumulation of junk, inoperable motor vehicles and other litter; requiring a county license to operate a junkyard; and providing penalties for violations.

WHEREAS, accumulation or storage of junk, trash, scrap materials, rubbish, tires, inoperable motor vehicles, litter, debris, and other matter, all or any one or combination thereof, on premises within the unincorporated territory of Montgomery County constitutes a real and present danger and hazard to the health and safety of the citizens of the county; and

WHEREAS, such storage and accumulations are widespread and have caused reduction in the value of neighboring premises; now therefore,

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 808, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 808—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Freeman (With Notice and Proof):

H. 864. Relating to Madison County; providing for county supplement paid to court reporters in the Twenty-third Judicial Circuit to be on a percentage of compensation paid by the State of Alabama to court reporters payable from the county treasury.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 864, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

**REGULAR SESSION**  
**24th Day**

1471

Also:

By Rep. Freeman (With Notice and Proof):

H. 865. Relating to Madison County; providing a certain county supplement to the salary of each supernumerary court reporter in the Twenty-third Judicial Circuit payable from the county treasury.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 865, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 864 and 865—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Laird (With Notice and Proof):

H. 919. Relating to Randolph County and the levying and collecting of taxes; amending Section 3 of Act No. 85-466, H. 166, Regular Session 1985, which section relates to the office of revenue commissioner in Randolph County and the election therefor; amending Section 12 of said act, relating to the effectiveness of the referendum on the question of abolishing the local office of tax assessor and tax collector and establishing the office of revenue commissioner; providing for the functioning of the office of revenue commissioner commencing October 1991, and the abolishment of the offices of the tax assessor and tax collector simultaneously; providing for the retroactive effect of this act to May 7, 1985; and amending Section 2 of said act so as to make a typographical correction.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 919, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 919—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Parker (With Notice and Proof):

H. 947. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 947, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Crow and Willis (With Notice and Proof):

H. 954. Relating to Calhoun County; amending Act No. 80-86, 1980 Regular Session (Acts of 1980 Regular Session), so as to increase the fee for issuance of pistol permits to persons under age 65 by the sheriff; and to change the method of distribution of such fees.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 954, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 947 and 954—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Payne (With Notice and Proof):

H. 629. Relating to Jefferson County; to amend section 4 of Act 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pp. 717-739) as heretofore amended, by adding a subsection (e) to said section 4; said subsection (e) to provide that any person serving as an employee or an officer of the county and who has and been a member of the pension system, meeting certain requirements and under certain circumstances, may convert all or part of any unpaid membership time to paid membership time in the pension system; to authorize the pension board of

the general retirement system for employees of Jefferson County to promulgate rules and regulations to implement the provisions of this subsection (e).

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 629, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 629—to the Committee on Local Legislation No. 2

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Zoghby (With Notice and Proof):

H. 924. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 924, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 924—to the Committee on Local Legislation No. 3

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Lindsey (With Notice and Proof):

H. 826. Relating to Cherokee County; to create a license-issuing division or office within the offices of the county courthouse for the issuance of

certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission, from time to time, to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting certain taxes, the issuance of licenses by such license-issuing division; to provide for the performance of certain duties heretofore performed by the tax collector, tax assessor and probate judge by said division in the office as designated by the county commission; to provide for certain compensation for any interim; and to provide for a referendum and the county commission passing a resolution; and to provide for the effective date of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 826, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 826—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 552. Relating to seized assets and funds in controlled substances proceedings in Mobile County; authorizing the sheriff of the county and municipal chiefs of police to distribute such assets or funds for private and nonprofit drug prevention programs.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Turner (With Notice and Proof):

H. 798. Relating to Mobile County; providing that the county commission shall call for a public hearing to be held a certain time prior to approving any landfill project and dirt pits in said county and empowering the county commissioner representing the commission district in which such



REGULAR SESSION  
24th Day

1475

proposed landfill and dirt pits are to be located with veto power over any commission decision approving such landfill project and dirt pits if such public hearing is not called as provided for in this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 798, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Zoghby (With Notice and Proof):

H. 925. Relating to Mobile County; abolishing the office of the elected county general administrator of estates.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 925, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 798 and 925—to the Committee on Local Legislation No. 3

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Carothers:

H. J. R. 406. RECOGNIZING WITH COMMENDATION THE CENTENNIAL OBSERVANCE OF FIRST BAPTIST CHURCH, DOTHAN, ALABAMA.

Also:

By Reps. Mikell, Hooper, and McKee:

H. J. R. 407. COMMENDING SHEAREN ELEBASH OF MONTGOMERY, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Menton, the Rules were suspended and the Resolutions, H. J. R.'s 406 and 407, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hettinger, Hall, Freeman, Brooks, Butler, and Grayson:

H. J. R. 411. MOURNING THE DEATH OF NANCY LANGHORNE LACY OF HUNTSVILLE.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Menton, the Rules were suspended and the Resolution, H. J. R. 411, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Richardson:

H. J. R. 355. NAMING A PORTION OF JACKSON COUNTY ROAD 58 AND COUNTY ROAD 60 IN ITS ENTIRETY, THE "WILLIAM DAVID STARKEY ROAD."

WHEREAS, it is the desire of the Alabama Legislature to forever sustain the memory of William David Starkey of Jackson County, Alabama, the beloved son of Bethel D. and Winnell Starkey, who died November 25, 1986; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in honor and in memory of the late William David Starkey, we hereby name and designate that portion of County Road 58 in Jackson County, Alabama, from State Highway 71 to its point of juncture with County Road 60, and then County Road 60 in its entirety back to Highway 71, the "William David Starkey Road."

BE IT FURTHER RESOLVED, That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating said road, and that copies of this resolution shall be forwarded to the Jackson County Commission and to the family of the late William David Starkey.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Menton, the Rules were suspended and the Resolution, H. J. R. 355, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Laird:

H. J. R. 377. COMMENDING CLAY COUNTY ON THE EFFECTIVE USE OF VOLUNTEERS AND DESIGNATING SAID COUNTY AS THE "VOLUNTEER COUNTY OF ALABAMA."

Also:

By Reps. Starkey, Goodwin, Hamilton, and Coburn:

H. J. R. 378. COMMENDING MARS HILL BIBLE SCHOOL FOR NOTEWORTHY ACHIEVEMENT.

Also:

By Rep. Rogers:

H. J. R. 379. CONGRATULATING MS. KATIE B. BRYANT OF ADAMSVILLE, ALABAMA, ON HER 75th BIRTHDAY.

Also:

By Rep. Rogers:

H. J. R. 380. COMMENDING MARY ALICE MITCHELL ON HER RETIREMENT FROM THE ALABAMA DEPARTMENT OF YOUTH SERVICES, CHALKVILLE, ALABAMA.

Also:

By Rep. Rogers:

H. J. R. 381. NOTING, WITH COMMENDATION, THE BIRMINGHAM SOUTHSIDE REUNION.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Menton, the Rules were suspended and the Resolutions, H. J. R.'s 377, 378, 379, 380, and 381, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Grayson:

H. J. R. 386. COMMENDING THE ROBERT AND EDNA PITTS FAMILY.

Also:

By Rep. Grayson:

H. J. R. 387. COMMENDING THE AARON AND MAMIE FRANKLIN FAMILY.

Also:

By Rep. Petelos:

H. J. R. 389. COMMENDING JEFFERY MCDANIEL LEONARD OF PLEASANT GROVE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

JOHN W. PEMBERTON,  
Clerk.**HOUSE MESSAGE**

On motion of Senator Menton, the Rules were suspended and the Resolutions, H. J. R.'s 386, 387, and 389, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Campbell, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 340. COMMENDING THOMAS J. BRASSELL FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

JOHN W. PEMBERTON,  
Clerk.**HOUSE MESSAGE**

On motion of Senator Menton, the Rules were suspended and the Resolution, H. J. R. 340, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Seibels, Drake, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 363. COMMENDING THE VOLUNTEER SUPPORTERS OF THE 1987 CHILDREN'S MIRACLE NETWORK TELETHON.

Also:

By Rep. Warren:

H. J. R. 361. COMMENDING JACQUELINE WATSON OF BEATRICE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Menton, the Rules were suspended and the Resolutions, H. J. R.'s 363 and 361, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Payne, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Corburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable,

Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 375. COMMENDING DR. MARIE LOUISE O'KOREN FOR DISTINGUISHED SERVICE AND CONTRIBUTIONS TO THE UNIVERSITY OF ALABAMA SCHOOL OF NURSING.

Also:

By Reps. Hettinger, Brooks, Grayson, Butler, Hall, and Freeman:

H. J. R. 376. COMMENDING THE 1169th ENGINEER GROUP, ALABAMA ARMY NATIONAL GUARD.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Menton, the Rules were suspended and the Resolutions, H. J. R.'s 375 and 376, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Kvalheim, Marietta, and Gaston:

H. J. R. 352. MOURNING THE DEATH OF ROBERT RADCLIFF LYONS OF MOBILE, ALABAMA.

Also:

By Rep. Crow:

H. J. R. 356. COMMENDING EDWARD RAY CLARK FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Menton, the Rules were suspended and the Resolutions, H. J. R.'s 352 and 356, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Butler:

H. J. R. 364. COMMENDING OSALENE HOLMBERG ON HER DISTINGUISHED CAREER IN PUBLIC EDUCATION AND FOR SERVICE TO ALABAMA SCHOOLS AS TEACHER AND PRINCIPAL FOR FORTY YEARS.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Menton, the Rules were suspended and the Resolution, H. J. R. 364, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Layson and Turnham:

H. J. R. 360. DIRECTING THE DIRECTOR OF ALABAMA BUREAU OF TRAVEL AND TOURISM TO ERECT A SIGN DESIGNATING THE GRAVESITE OF JAMES MCCRORY, BODY GUARD OF GENERAL GEORGE WASHINGTON.

WHEREAS, James McCrory, who served as lifeguard to General George Washington at Valley Forge, participated in the battles of Germantown, Brandywine, and Guliford Court House, and was a patriot in the American Revolution who chose Pickens County, Alabama to be his home; and

WHEREAS, James McCrory died in Pickens County, Alabama in 1840 at the age of 82 years, 6 months and 9 days, and the Pickens County D.A.R. honored this patriot and such sign has deteriorated; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby direct the Director of Alabama Bureau of Travel and Tourism to cause an appropriate sign to be constructed and erected, containing the same data as the original marker, to-wit:

"Old Bethany Cemetery, Gravesite of James McCrory (1758-1840), Life Guard of George Washington at Valley Forge, 0.4 miles, Pickens County Chapter, D.A.R."

BE IT FURTHER RESOLVED, That the director shall cause the construction and erection of said sign be made pursuant to Section 23-1-7, Code of Alabama 1975, as amended, along Alabama Highway 14 West in Pickens County in the location as the original marker.

RESOLVED FURTHER, That a copy of this resolution shall be sent to the Director of Alabama Bureau of Travel and Tourism.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

On motion of Senator Menton, the Rules were suspended and the Resolution, H. J. R. 360, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hettinger, Zoghby, Seibels, and Starkey:

**H. J. R. 311. TO CONTINUE THE JOINT INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT.**

WHEREAS, under the provisions of the Act No. 86-526 an Interim Committee on Municipal Government of the Legislature of Alabama was organized with eight (8) members of the Legislature, four (4) from the House appointed by the Speaker and four (4) from the Senate appointed by the Lieutenant Governor, and the Committee has submitted its report to the Legislature.

The Committee made numerous recommendations with respect to the organization, function, administration, financial framework, election procedures, forms of government procedures, and the impact of growth and urbanization on Alabama cities and towns; and

WHEREAS, the current Legislature has adopted several bills studied by the Committee and will no doubt adopt several additional pieces of legislation which the Interim Committee recommended and there is a need to continue and complete the study begun by the said Interim Committee inasmuch as many areas, which the Committee studied, require further study in depth and require positive recommendations to the Legislature from the Committee; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That in order to further suggest to the State Legislators additional sound, workable, financially feasible and economically possible methods of administration for Alabama's municipal governments, there is hereby organized an Interim Committee on Municipal Government of the Legislature of Alabama, to be composed of eight (8) members of the Legislature, four (4) members from the House to be appointed by the Speaker of the House, and four (4) members from the Senate to be appointed by the Lieutenant Governor. It shall be the duty and function of the Committee to analyze the present status of municipal government in Alabama and to make recommendations for legislation and constitutional revision which it considers necessary or desirable to enable the municipal governments of this State to more adequately meet and furnish the services and requirements of their citizens.

In reviewing the status and the laws of municipal governments in Alabama, the Committee shall consider and make studies of, but shall not limit its consideration, to the following items:

1. An assessment and study of the impact of reduced federal funds and the problems to municipalities created thereby; the study to suggest methods whereby municipalities may continue furnishing services notwithstanding the



reduction of federal assistance; the study also to include a review of the block grant delivery system of federal assistance.

2. A study and assessment of the problems faced by municipalities because of the mounting problems connected with sanitary sewage (waste water) disposal and a suggested avenue of meeting the tremendous expenses connected with such disposal; and a suggested funding mechanism to cover the cost of disposal.

3. A study of hazardous waste disposal and suggested solutions of the problems created by hazardous wastes.

4. A study of the infrastructure needs of Alabama towns and cities with particular emphasis on the study of road and street systems and their maintenance and repair.

5. A review with recommendations as to how municipalities can best improve the delivery of services of all types to their citizens.

BE IT FURTHER RESOLVED, That the Committee shall be appointed during the 1987 Regular Session and shall not consume more than forty-five (45) working days in performing its functions and that its report be finished in time for presentation of a preliminary report during the first week of the 1988 Regular Session of the Alabama Legislature and a final report to be submitted during the 1988 Regular Session of the Alabama Legislature and that as far as practical that all meetings of the Committee shall be held in the State House Building or in the State Capitol and be opened to the public. The Secretary of the Senate or Clerk of the House is hereby required to provide one (1) clerk, who shall be a competent stenographer, and the Committee is hereby empowered to employ such other personnel, including reporters and attorneys, as the Committee shall deem necessary. The Committee is hereby empowered to expend funds for the purpose of correspondence with prospective witnesses, in preparation of reports and in general expenses incident to the work of the Committee. Each member of the Committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends the meeting of the Committee which shall be paid out of the funds appropriated to the use of the Legislature on warrants drawn on the State Comptroller upon requisition signed by the Committee's chairman. Provided, that members shall not receive additional legislative compensation or per diem when the Legislature is in session. The Chairman of the Committee shall certify the sums due to the clerk or other employees of the Committee. The total amount of funds expended by the Committee in carrying out the study shall not exceed the sum of \$4,000.00 dollars. The Lieutenant Governor and the Speaker of the House shall jointly designate one of the members of the Committee as Chairman and one member to be Vice-Chairman. The Lieutenant Governor and the Speaker of the House shall be ex officio members of the Committee and shall receive compensation at the rate paid out members for each day that they sit with the Committee in its work on the subjects and problems listed in this resolution, or in handling any other matters agreed upon by the Committee in line with the general purpose of the Committee.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 311, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holmes:

H. J. R. 341. URGING SUPPORT BY THE ALABAMA CONGRESSIONAL DELEGATION OF PRESIDENT REAGAN'S POLICY REGARDING IRANIAN MISSILES IN THE PERSIAN GULF.

WHEREAS, the latest and most dire menace to freedom of navigation in the Persian Gulf is Iran's threat to deploy HY-2 Silkworm anti-ship missiles in the Strait of Hormuz; and

WHEREAS, among options being considered by President Reagan and other United States officials, in the event of such deployment, are military strikes against these missile warheads which have a range of up to 50 miles and are therefore capable of completely shutting down free navigation in Persian Gulf waters; and

WHEREAS, it is the consensus of this body that our President's posture regarding Iranian missile deployment in the Persian Gulf is a stand that must be supported by our nation, which has been confronted with on-going acts of aggression, including the holding of American hostages, by a government rife with radicals and one that is overrun with fanatic zealots committing mass murder and mayhem in the name of religion; and

WHEREAS, as champions of world peace, the United States cannot bow to the threats of a marauding band of scum, and we must all fully support President Reagan in his firm stand against Iranian aggression in the Persian Gulf; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby urge the members of Alabama's Congressional Delegation to stand firm and fully behind our President in his counteraction against Iranian HY-2 Silkworm deployment in the Strait of Hormuz and in his effort to maintain the free flow of oil and trade in the Persian Gulf.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded forthwith to all members of the Alabama Congressional Delegation in Washington, D. C.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 341, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Richardson:

H. J. R. 385. RESOLUTION TO POSTPONE THE PROPOSED RECLASSIFICATION OF AGRICULTURAL USES BY TVA.

WHEREAS, it is in the Public Interest and the Preservation and Furtherance of Agricultural pursuits in the State of Alabama; and

WHEREAS, TVA's statutory mandate decrees and that preference shall be given in the sale of power to farmers; and

WHEREAS, TVA's enabling legislation unequivocally affords preference to rural customers; and

WHEREAS, TVA's chartering legislation speaks to the promotion and better use of electric power for agricultural and domestic use, thus viewing the promotion of the two uses as equals, not the latter (domestic) over the former (agricultural); and

WHEREAS, TVA currently seeks to deviate from the statutory provisions enumerated above by reclassifying Code 23 accounts—non-dwelling residential structures located on the same site property as the farmer's dwelling residence—from the traditional Residential Rate Schedule to the Commercial or General Power Rate Schedule; and

WHEREAS, said Reclassification would neither afford a preference to rural farmers nor treat agricultural and domestic use equally, it thus flagrantly violates the Letter and Spirit of the 1933 Act from which TVA was borne; and

WHEREAS, said Reclassification would cause unconscionable financial cost increases on the agricultural industry of Alabama—especially the poultry and egg industry, which ranks third (3rd) and fifth (5th) respectively in the production of broilers and eggs nationally—as electric bills will increase between 15% and 115% (depending on the number of poultry houses owned and the Distributors' rate schedule) under the Reclassification; and

WHEREAS, TVA seeks to impose this reclassification without "due process" input or evidence from the affected public; and

WHEREAS, TVA has not afforded an evidentiary forum in which the public can scrutinize or study the evidentiary basis upon which TVA purports to justify its Reclassification actions;

NOW BE IT THEREFORE RESOLVED: That the members of the Alabama Legislature representing the public interest and the preservation and furtherance of agricultural pursuits in our Great State DO HEREBY ENTREAT THE BOARD OF TVA TO POSTPONE FOR AT LEAST ONE (1) YEAR THE IMPLEMENTATION OF THE RECLASSIFICATION OF CODE 23 ACCOUNTS (and all other accounts which would involve the application of the General Power Rate to a farm structure currently on the Residential Rate) so that said action can be examined thoroughly with the benefit of due process and evidentiary input from the public sector affected.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 385, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Parker:

**H. J. R. 250. REQUESTING THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE CHILD DEVELOPMENT CONSULTANTS AS PERSONNEL WHO MONITOR AND LICENSE CHILD DAY CARE FACILITIES.**

WHEREAS, pursuant to the Report of the Joint Governor's/Legislative Task Force on Child Day Care (April 1987), the licensing personnel of the Department of Human Resources need specialized training in quality child day care and in the regulatory requirements of other departments involved in the licensing process, such as fire and health regulations; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we hereby request the Department of Human Resources to require all personnel employed after the passage of this act who monitor or license child day care centers to meet the qualifications of "Child Development Consultant" (Merit System Classification).

**RESOLVED FURTHER,** That any personnel having supervisory responsibilities for any day care center licensing or monitoring personnel meet the qualification of "Senior Child Development Consultant" (Merit System Classification).

**RESOLVED FURTHER,** That every worker with licensing or monitoring responsibility be fully familiar with all regulatory requirements of other departments within the licensing process.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 250, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Drake:

**H. J. R. 359. MEMORIALIZING THE PRESIDENT AND U. S. CONGRESS TO SUPPORT THE IMPLEMENTATION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE'S AFRICANIZED BEE BARRIER PROPOSAL.**

WHEREAS, the Africanized bee quickly supplanted European stock, expanding their range 200 to 300 miles a year from the original epicenter

in Brazil (1957), and have now reached Guatemala and are soon to cross over into Mexico if this has not already occurred; and

WHEREAS, leading scientific experts have indicated that, if the Africanized bee continues to advance as predicted, it will be in the United States by 1990; and

WHEREAS, studies in Venezuela, Colombia, and Central America found that the bee has retained virtually all of its African characteristics as it has spread; and

WHEREAS, the Africanized bee has the potential to have a devastating impact on Alabama's agricultural industry and to threaten public health and safety; and

WHEREAS, Alabama ranks high in the nation in honey production; and

WHEREAS, assuming pure European stock can still be produced in Alabama after Africanized bees become established, research has shown that the European bees may be unable to compete with a potentially high density of wild Africanized bees foraging on the limited pollen and nectar sources; and

WHEREAS, Africanized bees could have a serious effect on the commercial beekeeping industry for queen and package bee production as well as honey production; and

WHEREAS, a substantial number of cases have been reported in which animals and people have been severely or fatally stung because of the abundance and special behavioral characteristics of the Africanized bee; and

WHEREAS, the public could encounter Africanized bees in the form of wild colonies and swarms in urban and suburban areas as well as rural areas where increased incidences of stinging could occur; and

WHEREAS, public awareness programs, as well as continuous permanent programs to control wild colonies of Africanized bees would need to be established by public agencies at a great expense to the taxpayer; and

WHEREAS, to date, the Africanized bee has not been eradicated from any area in which it has become established; and

WHEREAS, the United States Department of Agriculture's Agriculture Research Service and Animal and Plant Health Inspection Service have developed the Africanized Bee Barrier Proposal not as the ultimate solution, but as a way to provide our scientists with the time needed for research to be completed to provide a long-term genetic solution; and

WHEREAS, recent sightings indicate that the Africanized bee has migrated up to the barrier point proposed by the United States Department of Agriculture which may make any delay in implementing the barrier proposal more hazardous; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully memorialize the President and the Congress of the United States to give their full support to the speedy implementation of the United States Department of Agriculture's Africanized Bee Barrier Proposal by appropriating the funds necessary from the department's current 1986-87 budget.

BE IT FURTHER RESOLVED, That we respectfully memorialize the legislatures of the States of Arizona, Florida, Illinois, Kansas, Louisiana, North Carolina, Ohio, South Carolina and Texas to act expeditiously in memorializing the President and the Congress of the United States to give their full support to the speedy implementation of the United States Department of Agriculture's Africanized Bee Barrier Proposal.

RESOLVED FURTHER, That the Clerk of the House of Representatives transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from Alabama in the Congress of the United States, and to the respective leaders of the legislatures of the States of Arizona, Florida, Illinois, Kansas, Louisiana, North Carolina, Ohio, South Carolina and Texas.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 359, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Campbell:

H. J. R. 388. RELATIVE TO MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Tuesday, July 7, 1987, that we adjourn to meet again on Thursday, July 9, 1987.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 388, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Rains:

H. J. R. 349. REQUESTING THAT THE STATE HEALTH DEPARTMENT MAKE CERTAIN SURVEYS FOR AIDS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby request that the

State Health Department make random surveys across the state and particularly in the metropolitan areas to determine the extent of the Acquired Immune Deficiency Syndrome crisis.

BE IT FURTHER RESOLVED, That the State Health Department shall make quarterly reports to the Legislature of the results of the surveys.

RESOLVED FURTHER, That a copy of this resolution be sent immediately to the State Health Department.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 349, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Black:

H. 980. To propose an amendment to the Constitution of Alabama 1901, as amended, for Greene County to provide further for filling certain vacancies in certain county offices.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 980—to the Committee on Local Legislation No. 1

(The above Bill was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Black:

H. 981. To propose an amendment to the Constitution of Alabama 1901, as amended, for Sumter County to provide further for filling certain vacancies in certain county offices.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 981—to the Committee on Local Legislation No. 1

(The above Bill was read a first time at length as required by the Constitution.)

**REPORTS OF COMMITTEES**

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Petelos, Wright, and White (G) (With Amendment):

H. 471. To provide for confidential communications between victims and victim counselors disclosed during the course of treatment for any emotional or psychological effects of a sexual assault or family violence.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senators Preuitt, Campbell, Rice, and Menton (With Amendments):

S. 580. To amend Section 21-1-16, Code of Alabama 1975, relating to a register of blind persons, so as to require certain medical and health providers and certain governmental agencies to inform the Alabama Institute for Deaf and Blind of all cases of blindness; to require said Institute to create and provide a register form and to publish an annual report; to provide for the confidentiality of said form and to grant certain civil and criminal immunity to persons who report information pursuant to this act.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Dial (With Substitute):

S. 632. Relating to health care authorities organized or reincorporated pursuant to the provisions of Act No. 82-418 enacted at the 1982 Regular Session of the Legislature (article 11 of chapter 21 of Title 22 of the Code of Alabama 1975, as amended); to make certain findings with respect to such health care authorities; to grant to any such health care authority the limited power to amend its certificate of incorporation or certificate of reincorporation (without the necessity of any approvals or consents, other than that of its board of directors, that would otherwise be required) so as to provide that any of the members of its board of directors required to be elected or appointed by the governing body of any county or municipality that authorized the organization or reincorporation of such health care authority shall be elected only from a list of nominees (not less than three in number) proposed by its board of directors; to grant to any such health care authority the additional power to issue (and provide security for) bonds,



notes, and other obligations and securities that are not limited as to source of payment and that are general obligations of such health care authority; to make further provision with respect to the furnishing by a health care authority of office space to nonhospital-based physicians, dentists or other health care professionals; to provide further for the appointment, employment and compensation of certified public accountants by a health care authority; to provide that a health care authority may, in furtherance of the furnishing of cost-effective health care, determine to have the books and records of such health care authority for any fiscal year or years audited or examined by only one certified public accountant or accountants, or firm thereof, and that in such event no other audit or examination of such books and records by any other person or agency shall be required; to provide that if any such audit or examination of the books and records of a health care authority has been made with respect to any fiscal year or years of such health care authority beginning prior to the effective date of this act, or such health care authority at any time employs any certified public accountants or firm thereof to make such an audit or examination, then no other such audit or examination shall be required; to provide that no person or agency, other than any certified public accountants or firm thereof engaged to audit the books and records of a health care authority, shall be permitted access to such books or records, for audit or other similar purposes, without the prior consent of such health care authority; to provide for notification of the board of directors of a health care authority and appropriate law enforcement agencies if the certified public accountants or firm thereof making any such audit or examination discovers any act or activity that constitutes fraud or other criminal offense and so advises any director, officer or employee of such health care authority; and to provide further for investments of proceeds from the sale of securities and other moneys of a health care authority.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Freeman, Hall, Faulk, Carothers, Flowers, Drake, and Warren:

H. 164. To state the legislative intent; to amend §34-24-70; to require that the Board of Medical Examiners shall only approve certain off-shore medical schools if it finds that the medical education that is provided is substantially equivalent to that provided by medical schools in the United States and the District of Columbia; to authorize the Board of Medical Examiners to reject or not accept a diploma from any college of medicine which is not approved by the Board and to deny issuance of a certificate of qualification for licensure to practice medicine in Alabama to any individual holding such a diploma; to empower the Board to adopt, pursuant to the Alabama Administrative Procedure Act, all necessary rules, regulations, procedures, criteria, qualifications and guidelines as may be necessary to give effect to the provisions of this Act; to authorize the Board to prescribe a reasonable fee to cover cost and expenses of the evaluation of a college of medicine and require the payment of such fee to the Board; to establish the procedures required of such colleges to secure the required approval and to prescribe the interval for which such approval is granted and the interval at which such college which is denied approval may reapply for such approval; to establish that in any action for judicial review of a Board determination to approve or disapprove graduates of a college of medicine or based upon the exercise of authority granted by this Act, the reviewing court shall be bound by the determination of the Board for evaluating the quality of the

medical education of the institution in question and shall uphold the determination of the Board unless the court finds the same to be unsupported by any facts or arbitrary or capricious; to provide that effective 180 days after the effective date of this act only applicants holding a degree from a college of medicine approved by the Board shall be issued a certificate of qualification; to provide that any portions of this act which are declared unconstitutional or void by any court of competent jurisdiction does not affect those parts remaining; to provide for repeal of all laws or parts of laws which conflict with this Act; to provide that this Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Butler, White (L), Beasley, and Johnson (RG) (With Amendment):

H. 292. To amend Sections 22-21-20 and 22-21-27 of the Code of Alabama 1975, relating to licensing of hospitals, nursing homes and other health care institutions so as to include hospices; and to provide further for the advisory board.

By Reps. Butler, White (L), Beasley, and Johnson (RG) (With Amendment):

H. 293. To amend Sections 22-21-20 and 22-21-27 of the Code of Alabama 1975, relating to licensing of hospitals, nursing homes and other health care institutions so as to include home health agencies; and to provide further for the advisory board.

Senator Amari, Chairperson of the Standing Committee on Economic Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Crow and Willis:

H. 124. To define the purpose and the terms used in this Act; to regulate the collection of wild ginseng; to provide for registration of dealers, collectors and growers and to provide for record keeping; to provide for export permits; to provide for rules and regulations; to provide for a monitoring program and right of entry; to provide for procedures for reselling or refusal to issue certificates and permits and appeals therefrom; to provide for penalties for violations and to grant powers of sheriffs on agents in the enforcement of this Act.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Parsons:

S. 384. To amend Section 36-30-20, Code of Alabama 1975, as amended, relating to the definitions used in providing for compensation for death or

disability of municipal policemen and state troopers from occupational diseases so as to remove the exclusion of any municipalities in any county having a population in excess of 600,000 in the definition of the term "City."

By Senator Parsons (With Notice and Proof):

S. 429. To amend Section 22-3-1, Code of Alabama 1975, relating to the composition of county boards of health, so as to provide for said composition in counties with a population in excess of 500,000 persons; amends Section 22-3-2 relating to the powers of the county boards of health so as to provide that said boards in counties with a population in excess of 500,000 persons shall conduct all proceedings according to the Alabama Administrative Procedure Act; and amends Section 41-22-3 relating to definitions within the Administrative Procedure Act, so as to include county boards of health in counties with a population in excess of 500,000 persons in the definition of the term "agency."

By Reps. Payne and Wright (With Notice and Proof):

H. 298. Relating to Jefferson County; authorizing the Jefferson County Commission and the Jefferson County Sheriff's Department to prohibit the overgrowth of weeds, the storage and accumulation of junk, inoperable motor vehicles and other litter; providing for penalties; and providing that this act shall be known as the Cope and Norris Act.

WHEREAS, the Jefferson County government finds as fact that overgrowth of weeds or vegetation and accumulation or storage of junk, trash, scrap materials, rubbish, tires, inoperable motor vehicles, litter, debris, and other matter, all or any one or combination thereof, on premises of two acres or less within the unincorporated territory of Jefferson County constitute a real and present danger and hazard to the health and safety of the citizens of Jefferson County; and

WHEREAS, such overgrowth, storage and accumulations are widespread and have caused reduction in the value of neighboring premises; now therefore,

By Reps. White (G), Perdue, and Newton (With Notice and Proof):

H. 434. To amend Section 4.04 of Act No. 452, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a mayor-council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, to provide the annual salary to be paid to the mayor of such city.

By Reps. Spratt, Rogers, McClain, McDowell, Davis, Perdue, and Newton (With Notice and Proof):

H. 356. Relating to the City of Birmingham, Jefferson County, Alabama; providing for the election of the members of the city board of education from single-member districts.

By Reps. Biddle, Wright, and Curry (With Notice and Proof):

H. 513. Relating to Jefferson County, authorizing the Jefferson County Coroner-Medical Examiner's Office to take corneal tissue during the course of autopsy proceedings.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on

the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Biddle, Payne, Wright, Petelos, McDowell, Davis, Spratt, Escott, and Perdue (With Notice and Proof) (With Amendment):

H. 515. Relating to Jefferson County; providing for the compensation of law enforcement employees in the Sheriff's Department.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Reps. Harper and White (G) (With Substitute) (With Amendments):

H. 270. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Manley:

S. 667. To make a general appropriation from the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1988 to the following non-state agencies:

- a. Sickie Cell Education Program
- b. Coalition Against Domestic Violence, Inc., Alabama
1. Safeplace, Inc., Florence
2. Tuscaloosa Spouse Abuse Network, Tuscaloosa
3. Montgomery Area Family Violence Program, Inc., Montgomery;
4. Penelope House, Inc., Mobile;
5. East Alabama Task Force for Battered Women, Inc., Auburn;
6. House of Ruth, Inc., Dothan;
7. Family Violence Project, Birmingham;
8. HOPE Place, Inc., Huntsville;
9. Daybreak Family Resource Center of Northwest Alabama, Jasper;
- and
10. Shelter, Inc., Gadsden.
- c. Emergency Medical Services Programs
1. Birmingham Regional Emergency Medical System
2. East Alabama Emergency Medical Services, Inc.
3. North Alabama Emergency Medical Services, Inc.
4. Southeast Alabama Emergency Medical Services System, Inc.
5. Southwest Alabama Emergency Medical Services Council, Inc.
6. West Alabama Emergency Medical Services, Inc.
7. Trenholm State Technical College
- d. Camp ASCCA
- e. United Cerebral Palsy of Alabama
- f. United Cerebral Palsy Development Center of East Central Alabama
- g. Special Schools for Special Education

1. Butler County Training School for the Mentally Retarded in Greenville
2. Hope Haven School in Colbert County
3. Montgomery Institute of Neurological Development
4. Birmingham Training Center for Brain-Injured Children
5. Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled
6. Alice Pigman School
7. Geneva County Day Care and Training Center
8. McGraw Activity Center
9. Dallas County Day Care and Training Center
10. Calhoun County Community—"EDUCATION PAR EXCELLENCE"
11. North Talladega County Association for Retarded Citizens, Inc.
12. South Talladega County Association for Retarded Citizens, Inc.
13. ECHO FOUNDATION
14. Vivian B. Adams School
15. McInnis School of Montgomery
16. Alan Cott School
- h. Alabama Outdoor Drama
- i. Alabama Student Grant Program—Alabama Commission on Higher Education
- j. Network of Alabama Libraries—Alabama Commission on Higher Education
- k. Alabama League for Advancement of Education—Alabama State University
- l. Eye Injury Register
- m. Small Business Procurement System
- n. American Legion and Auxiliary Scholarships
- o. Black Belt Human Resource Development Center
- p. Children's Hospital
- q. DAR School, Kate Duncan Smith
- r. Davis Theatre
- s. East Alabama Child Development Center
- t. Lighthouse Counseling Center, Inc.
- u. Central Alabama Opportunities Industrialization Center
- v. Alabama Shakespeare Festival
- w. Alabama Sports Festival
- x. Alabama Small Business Development Consortium

By Senators Amari, Holmes, and Preuitt:

S. 680. To make appropriations from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama and the United Cerebral Palsy Development Center for East Central Alabama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Manley:

S. 668. To make a general appropriation from the Alabama Special Educational Trust Fund to certain non-state agencies for the fiscal year ending September 30, 1988.

By Senators Ellis and Barron:

S. 669. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the

Network of Alabama Academic Libraries for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senators Goodwin and Barron:

S. 670. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Alabama Student Grant Program for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senators Bailey, Holmes, and Barron:

S. 671. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Senators Cabaniss and Barron:

S. 672. To make an appropriation from the Alabama Special Educational Trust Fund to the Eye Injury Register for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Senators Rice and Barron:

S. 673. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Senators Ellis and Barron:

S. 674. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Outdoor Drama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senators Bedford and Barron:

S. 675. To make an appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 676. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama League for Advancement of Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Senators Bennett and Barron:

S. 678. To make a supplemental appropriation of \$68,500 from the Alabama Credit Union Administration Fund to the Alabama Credit Union Administration for the fiscal year ending September 30, 1987.

REGULAR SESSION  
24th Day

1497

By Senator Horn:

S. 682. To make appropriations from the Alabama Special Educational Trust Fund to the Alabama Small Business Development Consortium and the Alabama Small Business Procurement System for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Campbell:

H. 371. To provide longevity pay for certain employees of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

By Senator Foshee:

S. 591. To make further provisions for the issuance of obligations by Alabama Federal Aid Highway Finance Authority by amending Article 10 of Chapter 1 of Title 23 of the Code of Alabama 1975, as amended, so as to provide for the issuance and use of proceeds of obligations of the authority for the purpose of anticipating and providing for not only the federal share of the cost of constructing interstate, defense and primary highways, but also, for the purpose of anticipating and providing for the federal share of the cost of replacing bridges on the State Highway System. Also, to amend Section 23-1-314 of the Code of Alabama 1975, as amended, to provide that pledges made of the proceeds, or specified portions of the proceeds, from the taxes and fees referred to in this section shall with respect to each obligation issued hereunder be subject and subordinate to: (1) All pledges of the proceeds (or portions thereof) of the said taxes and fees lawfully made as security for any bonds issued prior to December 1, 1986, by the Alabama Highway Authority. (2) Any refunding bonds that may be issued by the Alabama Highway Authority after December 1, 1986, for the purpose of refunding any of the bonds referred to in clause (1) of this sentence.

By Senators Menton and Barron:

S. 543. To amend Section 24-1A-9, Code of Alabama 1975, relating to the limitation on issuance of bonds by the Alabama Housing Finance Authority.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Bowling, Grouby, Turnham, White (F), Drake, Blake, Layson, White (L), Venable, Hammett, Higginbotham, Harvey, Ford, Goodwin, Bugg, Hall, Rains, Johnson (RW), Richardson, Holley, Newman, Moon, Junkins, Hettinger, Brooks, Grayson, Escott, Gray, Starkey, Wright, Petelos, Logan, Dillard, Hill, Freeman, Curry, Rogers, Turner, Gaston, Zoghby, Buskey (JE), Spratt, Johnson (RG), Haynes, Breedlove, Williams, Black, Bryant, Blakeney, Mikell, Buskey (JL), Walker, Beasley, Hooper, Reed, Faulk, and Adams (With Amendment):

H. 533. To reopen the Teachers' and Employees' Retirement Systems of Alabama for purchase of certain service credit and military service credit; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Employees' Retirement

System of Alabama or the Teachers' Retirement System of Alabama; to provide that this act shall take effect October 1, 1987, and to provide for its termination on October 1, 1988.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Holmes (With Notice and Proof):

S. 662. Relating to the City of Oxford in Calhoun County; providing that the office of mayor shall be full-time.

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator Holmes:

S. 453. To create the Alabama Family Medical Catastrophe Fund; to create the Alabama Family Medical Catastrophe Fund Board to administer said fund; to provide for the said board's composition, powers, duty and authority; to provide for funding; to provide for income tax refund checkoff donations on state income tax forms with the funds earmarked for the Alabama Family Medical Catastrophe Fund; to provide for the creation of the Alabama Family Medical Practice Fund in the state treasury; and to provide that monies in said fund shall not revert to the general fund but shall be encumbered and carried forward into each succeeding state fiscal year.

By Rep. Cosby:

H. 242. To amend Section 16-4-15 of the Code of Alabama, 1975, to permit the state superintendent of education to delay the taking of a school census for a period of 10 years.

### BUDGET ISOLATION RESOLUTION

Senator deGraffenried, B. I. R., S. B. 570, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Horn
Amari	Cabaniss	Foshee	Langford
Bailey	Campbell	Goodwin	Manley
Barron	Corbett	Hale	Menton
Bedford	deGraffenried	Hand	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Drinkard		

—25

Nays:

—0

### BILLS ON THIRD READING RESUMED

THE BILL:

S. 570. Relating to Tuscaloosa County; amending Sections 1 and 2 of Act No. 81-936, H. 50, 1981 First Special Session (Acts 1981, p. 88) as



REGULAR SESSION  
24th Day

1499

amended by Act No. 85-571, H. 1005, 1985 First Special Session (Acts 1985, p. 875), relating to the compensation and expense allowance for the Sheriff of Tuscaloosa County, so as to further provide for an additional expense allowance and expiration date therefor and the Sheriff's compensation, in the next term of office for Sheriff.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Horn
Amari	Cabaniss	Foshee	Langford
Bailey	Campbell	Goodwin	Manley
Barron	Corbett	Hale	Menton
Bedford	deGraffenried	Hand	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Drinkard		

—25

Nays: —0

**BUDGET ISOLATION RESOLUTION**

Senator deGraffenried, B. I. R., S. B. 493, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Horn
Amari	Cabaniss	Foshee	Langford
Bailey	Campbell	Goodwin	Manley
Barron	Corbett	Hale	Menton
Bedford	deGraffenried	Hand	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Drinkard		

—25

Nays: —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 493. Relating to Tuscaloosa County and the Firemen's and Police-men's Pension and Relief Fund for the City of Tuscaloosa, further amending Act No. 328, H. 854, 1959 Regular Session, which provides for the adjustment of benefits for sickness or other disabilities, or retirement for disability, so as to provide revised amounts for monthly benefits for temporary disability arising as a result of service in departments or any disability occurring after ten years of service in the departments, and retirement for permanent disability, amend the payments to dependents, clarify the limitations on amount of pension benefits, and to provide certain benefits to individuals who are receiving benefits under Act No. 187, S. 339, 1951 Regular Session.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Horn	
Amari	Cabaniss	Foshee	Langford	
Bailey	Campbell	Goodwin	Manley	
Barron	Corbett	Hale	Menton	
Bedford	deGraffenried	Hand	Rice	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Drinkard			—25

*Nays:*

—0

**RECESS**

At 4:50 P.M., on motion of Senator Menton, the Senate took a recess subject to the call of the Chair.

At 6 o'clock P.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

On motion of Senator Corbett, further consideration of the Bill, S. B. 147, was postponed subject to the call of the Chair.

**BILLS ON THIRD READING RESUMED**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the Bill:

H. 325. To amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed limit of motor vehicles, so as to provide for an increase in the maximum speed limit on certain portions of the Interstate System and to provide for the marking of trucks and maximum speed limit of trucks transporting explosives, flammable liquids or hazardous wastes.

On motion of Senator Corbett, further consideration of the Bill, H. B. 325, was postponed subject to the call of the Chair.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

**RESOLUTIONS**

Senator Bedford offered the following Senate Resolution, to-wit:

S. R. 166. COMMENDING FRAN NUNNELLY OF FLORENCE, ALABAMA, 1987-1988 PRESIDENT OF THE ALABAMA FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS.

Which was filed.

Senator Bedford offered the following Senate Joint Resolution, to-wit:

**S. J. R. 167. NAMING A PORTION OF STATE HIGHWAY 18 IN HONOR OF MAX NEWMAN OF MILLPORT, ALABAMA.**

WHEREAS, our esteemed colleague, Max Newman of Millport, Alabama, is now serving his second term as a member of the Alabama Legislature representing House District 16; and

WHEREAS, Mr. Newman has further distinguished himself in military service to his country; as a former coach and high school principal; as a successful businessman; and through leadership activities with numerous professional, civic, community and veterans' organizations and affairs; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That in recognition of outstanding achievement and contributions to community, state and nation by the Honorable Max Newman of Millport, Alabama, we hereby name and designate that portion of State Highway 18, in House District 16, from the city limits of Vernon in Lamar County to the city limits of Fayetteville in Fayette County, the "Max Newman Highway."

**BE IT FURTHER RESOLVED,** That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating said highway portion as the "Max Newman Highway."

**RESOLVED FURTHER,** That a copy of this resolution be presented to our good friend and colleague, Representative Max Newman of Millport.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

#### **FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

#### **REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 241. Relating to Tuscaloosa County; to amend Sections 10 and 11 of Act No. 80-618, H. 852, Regular Session 1980, (Acts 1980, p. 1054), which established a public defender office in Tuscaloosa County, so as to increase court costs taxed in the circuit and district courts payable to the public defender fund.

Also:

S. 321. To propose an amendment to the Constitution of Alabama of 1901, to authorize the county governing body and the governing body of any municipality in Calhoun County to appropriate public funds to any non-profit charity and to provide that the provisions of this amendment shall be self-executing.

Also:

S. 354. Relating to Clay County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, abolishing the offices of tax assessor and tax collector, repealing conflicting laws; and providing for a referendum thereon.

Also:

S. 449. To amend the title and section 1 of Act No. 80-783, S. 599 of the 1980 Regular Session (Acts 1980, p. 1617) providing a county salary supplement for the circuit judges in the Thirty-ninth Judicial Circuit so to provide further for such salary supplements.

Also:

S. 497. Relating to Calhoun County; authorizing the county commission and the governing bodies of the municipalities located within the county to establish reasonable criteria for the issuance and renewal of licenses for the sale of alcoholic beverages.

Also:

S. 534. Relating to Madison County; to amend Section 1 of Act No. 80-277 of the 1980 Regular Session, (Acts of 1980, p. 366), entitled, "An Act Relating to Madison County; to provide alternative methods of funding a legislative delegation office and to reallocate Madison County's share of payments made by the Tennessee Valley Authority to the state in lieu of ad valorem taxes," so as to provide that in addition to its annual budget allocation, the legislative delegation is authorized to receive a separate allocation for extraordinary purchase of equipment, not to exceed 10% of its budget, as needed.

Also:

S. 597. To propose an Amendment to the Constitution of Alabama of 1901 levying a one (1) mill property tax on real property located in Houston County, excluding property located in the City of Dothan; subject to a petition for subsequent elections if submitted every four years by ten percent of the registered voters; and to provide that the net proceeds of such tax, if approved, shall be used only for fire fighting and fire prevention purposes in Houston County outside the city limits of Dothan.

Also:

S. 552. Relating to seized assets and funds in controlled substances proceedings in Mobile County; authorizing the sheriff of the county and municipal chiefs of police to distribute such assets or funds for private and nonprofit drug prevention programs.

JIM SMITH,  
Chairperson.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been

publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 378. COMMENDING MARS HILL BIBLE SCHOOL FOR NOTEWORTHY ACHIEVEMENT.

Also:

H. J. R. 379. CONGRATULATING MS. KATIE B. BRYANT OF ADAMSVILLE, ALABAMA, ON HER 75TH BIRTHDAY.

Also:

H. J. R. 380. COMMENDING MARY ALICE MITCHELL ON HER RETIREMENT FROM THE ALABAMA DEPARTMENT OF YOUTH SERVICES, CHALKVILLE, ALABAMA.

Also:

H. J. R. 381. NOTING, WITH COMMENDATION, THE BIRMINGHAM SOUTHSIDE REUNION.

Also:

H. J. R. 386. COMMENDING THE ROBERT AND EDNA PITTS FAMILY.

Also:

H. J. R. 387. COMMENDING THE AARON AND MAMIE FRANKLIN FAMILY.

Also:

H. J. R. 389. COMMENDING JEFFERY MCDANIEL LEONARD OF PLEASANT GROVE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 406. RECOGNIZING WITH COMMENDATION THE CENTENNIAL OBSERVANCE OF FIRST BAPTIST CHURCH, DOTHAN, ALABAMA.

Also:

H. J. R. 407. COMMENDING SHEAREN ELEBASH OF MONTGOMERY, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 340. COMMENDING THOMAS J. BRASSELL FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

Also:

H. J. R. 352. MOURNING THE DEATH OF ROBERT RADCLIFF LYONS OF MOBILE, ALABAMA.

Also:

H. J. R. 355. NAMING A PORTION OF JACKSON COUNTY ROAD 58 AND COUNTY ROAD 60 IN ITS ENTIRETY, THE "WILLIAM DAVID STARKEY ROAD."

Also:

H. J. R. 356. COMMENDING EDWARD RAY CLARK FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

Also:

H. J. R. 360. DIRECTING THE DIRECTOR OF ALABAMA BUREAU OF TRAVEL AND TOURISM TO ERECT A SIGN DESIGNATING THE GRAVESITE OF JAMES MCCRORY, BODY GUARD OF GENERAL GEORGE WASHINGTON.

Also:

H. J. R. 361. COMMENDING JACQUELINE WATSON OF BEATRICE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 363. COMMENDING THE VOLUNTEER SUPPORTERS OF THE 1987 CHILDREN'S MIRACLE NETWORK TELETHON.

Also:

H. J. R. 364. COMMENDING OSALENE HOLMBERG ON HER DISTINGUISHED CAREER IN PUBLIC EDUCATION AND FOR SERVICE TO ALABAMA SCHOOLS AS TEACHER AND PRINCIPAL FOR FORTY YEARS.

Also:

H. J. R. 375. COMMENDING DR. MARIE LOUISE O'KOREN FOR DISTINGUISHED SERVICE AND CONTRIBUTIONS TO THE UNIVERSITY OF ALABAMA SCHOOL OF NURSING.

Also:

H. J. R. 376. COMMENDING THE 1169th ENGINEER GROUP, ALABAMA ARMY NATIONAL GUARD.

Also:

H. J. R. 377. COMMENDING CLAY COUNTY ON THE EFFECTIVE USE OF VOLUNTEERS AND DESIGNATING SAID COUNTY AS THE "VOLUNTEER COUNTY OF ALABAMA."

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 411. MOURNING THE DEATH OF NANCY LANGHORNE LACY OF HUNTSVILLE.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

**COMMITTEE REPORT FILED**

The report of the Joint Interim Committee on Agriculture was read and ordered filed with the Secretary.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Campbell and Harper:

H. 904. To provide that the Lieutenant Governor's office shall be separate and distinct; to provide for the appointment and compensation of the personnel of the Lieutenant Governor's office; and to authorize the Lieutenant

Governor to purchase equipment, supplies and services and to approve personnel business travel.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 904—to the Committee on Rules

### FURTHER CONSIDERATION OF S. B. 147

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Committee substitute for the Bill, S. B. 147.

### ADJOURNMENT

The hour of Midnight having arrived, in accordance with Resolution heretofore adopted, and pending further consideration of the Bill, S. B. 147, the Senate was declared adjourned until Thursday, July 9, 1987, at 12:01 A.M.



## **TWENTY-FIFTH LEGISLATIVE DAY**

**THURSDAY, JULY 9, 1987**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend Jiles Williams, Jr., Pastor, New Providence Baptist Church, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Brett Parker, Episcopal Day School, Gadsden, Alabama.

### **ROLL CALL**

Present:

Senators:	Campbell	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hale	Parsons
Barron	deGraffenried	Hand	Preuitt
Bedford	Denton	Hilliard	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Drinkard	Horn	Smith (B)
Bishop	Ellis	Langford	Smith (J)
Cabaniss	Figures	Manley	

—34

### **JOURNAL**

On motion of Senator Ellis, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

**JIM SMITH,**  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Smith (J), the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fourth Legislative Day was approved by the Senate.

### **LEAVE OF ABSENCE**

On motion of Senator Cabaniss, leave of absence was granted Senator Dial for today.

UNFINISHED BUSINESS  
BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 147. To provide for the "Alabama Safety Belt Use Act of 1987"; to require front seat occupants of passenger cars to wear safety belts; to exempt certain persons from the provisions of this act; to prescribe a penalty for violation of the provisions of the act; and to provide for a phased-in implementation.

and pending Committee substitute, which said substitute is set out in the Journal of the Senate for the Twenty-Fourth Legislative Day.

Senator Bedford offered the following amendment No. 1 to the substitute for the Bill, S. B. 147, to-wit:

## AMENDMENT NO. 1 TO SUBSTITUTE FOR S. B. 147

In Section 3. immediately following (b)(2)f. insert the following paragraph:

(c) Each school bus regardless of size shall be equipped with safety belts and when the vehicle is in motion all occupants shall have a safety belt properly fastened about his or her body at all times.

Redesignate remaining subsections accordingly.

Senator Bedford moved that further consideration of the Bill, S. B. 147, and pending amendment to the substitute, be postponed subject to the call of the Chair.

Senator Goodwin moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 10; Nays 14.

Yeas:

Senators:	Denton	Goodwin	Rice	
Bennett	Figures	Langford	Sanders	
Campbell	Foshee	Preuitt		—10

Nays:

Senators:	Bedsale	Hale	Mitchem	
Bailey	Cabaniss	Hand	Smith (B)	
Barron	deGraffenried	Holmes	Smith (J)	
Bedford	Dixon	Manley		—14

The question then recurred on the motion of Senator Bedford that further consideration of the Bill, S. B. 147, and pending amendment to the substitute, be postponed subject to the call of the Chair, which motion was lost.

Yeas 12; Nays 17.

Yeas:

Senators:	Bedsale	deGraffenried	Manley	
Bailey	Cabaniss	Drinkard	Smith (B)	
Barron	Covington	Hale	Smith (J)	
Bedford				—12

REGULAR SESSION  
25th Day

1509

*Nays:*

Senators:	Dixon	Holmes	Parsons
Amari	Figures	Langford	Preuitt
Bennett	Foshee	Menton	Rice
Campbell	Goodwin	Mitchem	Sanders
Denton	Hand		

—17

The question then recurred on the amendment No. 1 to the substitute offered by Senator Bedford.

On motion of Senator Goodwin, said amendment was laid on the table.

Senator Bedford then offered the following amendment No. 2 to the substitute for the Bill, S. B. 147, to-wit:

**AMENDMENT NO. 2 TO SUBSTITUTE FOR S. B. 147**

In Section 3. immediately following (b)(2)f. insert the following paragraph:

(c) Each school bus regardless of size shall be equipped with safety belts for ten passengers or less and when the vehicle is in motion all occupants shall have a safety belt properly fastened about his or her body at all times.

Redesignate remaining subsections accordingly.

**RECESS**

At 12:30 A.M., on motion of Senator Bailey, the Senate took a recess until 9 o'clock this morning.

Yeas 17; Nays 10.

*Yeas:*

Senators:	Cabaniss	Hale	Mitchem
Amari	Corbett	Holmes	Parsons
Bailey	Covington	Manley	Smith (B)
Barron	deGraffenried	Menton	Smith (J)
Bedford	Drinkard		

—17

*Nays:*

Senators:	Figures	Hand	Rice
Campbell	Foshee	Langford	Sanders
Denton	Goodwin	Preuitt	

—10

The recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Bedford amendment No. 2 to the Committee substitute.

On motion of Senator Goodwin, said amendment was laid on the table.

Senator Smith (B) offered the following amendment to the substitute for the Bill, S. B. 147, to-wit:

### AMENDMENT TO SUBSTITUTE FOR S. B. 147

In Section 3, immediately following (b) 2f. insert the following paragraph:

“(c) Each school bus over five thousand pounds or semi-trailer truck of twelve wheels or more shall be equipped with safety belts and when the vehicle is in motion or in a parking lot all occupants shall have a safety belt properly fastened about his or her body at all times and have this properly displayed and not covered.”

Redesignate remaining sections and subsections accordingly.

On motion of Senator Bishop, further consideration of the Bill, S. B. 147, and pending amendment to the substitute, was postponed until 5 o'clock P.M.

### RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

#### S. R. 168. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That pursuant to Rule 9 of the Senate rules, the regular order of business is hereby set aside and the following bills shall be the paramount and continuing order of business taking precedence over all other matters until disposed of; further provided that standing committees may report at any time.

BILL NO.	DESCRIPTION	PAGE NO.
H. 270	General fund budget	137

On motion of Senator Smith (J), said Resolution was adopted by the Senate.

### BILL RE-REFERRED

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following Bill, H. B. 549, and ordered same returned to the Senate with a favorable report, to-wit:

By Reps. Rogers, Davis, McClain, Spratt, Escott, White (G), and Slaughter (With Notice and Proof):

H. 549. To further provide for the regulation of horse racing and pari-mutuel wagering thereon; to amend Sections 11-65-2, 11-65-16, 11-65-19 and 11-65-22, Code of Alabama 1975, relating to the requirements that must be satisfied by any person applying for a license to own or operate a horse racing facility and any person holding or acquiring an interest in the holder of such an owner's or operator's license, so as to eliminate any requirement that any such person (or any director or officer thereof) must be or must have been for any specified period of time a resident of the State of Alabama or must apply for permission to acquire an interest in the owner or operator and any limitation on the percentage of ownership that may be acquired in an owner or an operator by one person or family group; to provide that

ownership of an interest in an owner or operator may not be held or acquired by a disqualified person and to allow a commission to require the disposition of the interest of any person in an owner or operator if such person is a disqualified person; to amend Section 11-65-10, Code of Alabama 1975, relating to the powers and duties of a racing commission; to amend Section 11-65-2, Code of Alabama 1975, to include a definition of a "disqualified person"; and to provide that the provisions of this act shall apply prospectively.

Pursuant to the provisions of Senate Rule 51, said Bill, H. B. 549, was re-referred to the Standing Committee on State Development and Tourism.

### REPORTS OF COMMITTEES

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. McDowell (With Notice and Proof):

H. 509. To provide for the appointment of a Chief Deputy Tax Assessor by the Elected Jefferson County Tax Assessor and by the Elected Jefferson County Assistant Tax Assessor, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputies.

By Reps. Payne, White (G), and Newton (With Notice and Proof):

H. 658. Relating to Jefferson County; to amend Section 4 and Section 6 of Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Acts 1965, p. 797), as amended, relating to the Board of Directors for a civic center authority and to the civic center authority itself in certain counties classified on a population basis, so as to provide further for the procedure for selecting the members of such board, and to further provide additional powers of such authority.

By Rep. Davis:

H. 731. To amend Section 12-19-92, Code of Alabama 1975, which provides for fees of constables, so as to provide further for the fees of the constables in Jefferson County.

By Rep. Slaughter (With Notice and Proof):

H. 885. To further amend Act No. 921 of the 1951 Regular Session, as amended, and as further amended and restated in Act No. 1272 of the 1973 Regular Session of the Legislature of Alabama, as amended (Acts, 1973, pp. 2124, et seq.), which Act, as amended, provides a retirement and relief system for officers and employees of each city of the State of Alabama having a population of 250,000 or more inhabitants according to the last or any succeeding federal census to provide a retirement benefit for officers or employees of such cities who have attained the age of seventy (70) years or more, who have ten (10) or more but fewer than fifteen (15) years of credited service.

By Rep. Slaughter (With Notice and Proof):

H. 886. Relating to Class I municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

By Reps. Slaughter, Curry, White (G), McDowell, McClain, and Petelos (With Notice and Proof):

H. 896. To provide for the appointment, duties and compensation of six Deputy District Attorneys in the Tenth Judicial Circuit of Alabama, Bessemer Division.

By Reps. Newton and Perdue (With Notice and Proof):

H. 910. To amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recomp. 1958) to provide a salary for members of the Park and Recreation Board of the City of Birmingham who are not members of the governing body of the City of Birmingham.

By Rep. McDowell (With Notice and Proof):

H. 975. To provide for a temporary expense allowance and for a salary increase for the Elected Deputy Treasurer in the Bessemer Division of Jefferson County.

By Reps. Wright, Biddle, Petelos, Curry, Payne, White (G), Slaughter, and Newton (With Notice and Proof):

H. 355. Relating to Jefferson County; to provide compensation for the executive assistant to the sheriff of Jefferson County; to provide additional compensation for longevity and for cost of living pay increases and to provide for and receive vacation, retirement, and sick benefits.

By Reps. Seibels, Perdue, Spratt, Petelos, White (G), and Gray (With Notice and Proof):

H. 891. To authorize the Board of Managers of the City of Birmingham Retirement and Relief System to consider the application of A. Joyce Seale to purchase creditable time in the retirement and relief fund for time served in the civil defense corps and to allow such purchase if, in the judgment of the board of managers, such purchase is reasonable, and to provide for the conditions and limitations applying to such purchase, and to set an effective date.

By Rep. Petelos (With Notice and Proof):

H. 639. To provide for the collection of special assessments by the appropriate official or employee of the county who is charged with the collection of property taxes or assessments in order to satisfy liens arising from the abatement of public nuisances caused by noxious or dangerous weeds.

By Senator Amari (With Notice and Proof):

S. 539. To provide for the collection of special assessments by the appropriate official or employee of Jefferson County who is charged with the collection of property taxes or assessments in order to satisfy liens arising from the abatement of public nuisances caused by noxious or dangerous weeds.

By Reps. Slaughter, White (G), and McClain (With Notice and Proof):

H. 640. To amend further Section 10 of Act No. 497, Regular Session of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, relating to a pension system for officers and employees of Jefferson County, Alabama, so

as to increase the benefit formula rate and to provide further for the retirement of certain members of the pension system.

By Rep. Perdue (With Notice and Proof):

H. 648. Relating to Jefferson County; to create a public corporation for the purposes of flood control in circumstances affecting urban areas in Jefferson County, to be known as the Jefferson County Flood Control Authority, with its principal office to be located in the City of Birmingham; to provide for a board of directors, prescribe the method of appointment and compensation of directors, their duties, powers, and authority; to authorize the State of Alabama, and counties and municipalities therein, to contract with and to appropriate funds to such Authority and to issue general obligation or revenue bonds or warrants to finance projects; to provide that the debts and obligations of the Authority shall not be the debts or obligations of the State of Alabama, or any county or municipality therein; and to exempt the Authority and its property from state, county, and municipal taxation.

By Reps. Slaughter, Gray, McDowell, Wright, Petelos, White (G), and McClain (With Notice and Proof):

H. 543. Relating to Jefferson County; to provide for funding for the Birmingham-Jefferson County Transit Authority by the City of Birmingham, Jefferson County and certain other municipalities in such county; to repeal Act No. 232 of the 1977 Regular Session of the Alabama legislature and all conflicting statutes.

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Campbell and Harper:

H. 904. To provide that the Lieutenant Governor's office shall be separate and distinct; to provide for the appointment and compensation of the personnel of the Lieutenant Governor's office; and to authorize the Lieutenant Governor to purchase equipment, supplies and services and to approve personnel business travel.

By Senators Hale and Campbell:

S. 615. To establish a Physical Therapy Assistant Program at George C. Wallace State Community College at Hanceville, Alabama.

## SPECIAL ORDER

### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

H. 270. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 270, to-wit:

**SUBSTITUTE FOR H. B. 270**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

**SECTION 1:** The monies in Section 2 are appropriated from the named funds for the 1987-88 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the totals for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

**SECTION 2.** There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.



REGULAR SESSION  
25th Day

1515

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
2A. LEGISLATIVE:				
1. EXAMINERS OF PUBLIC ACCOUNTS, DEPARTMENT OF:				
(a)	Legislative Support-Audit Services Program .....			3,837,924
SOURCE OF FUNDS:				
(1)	State General Fund .....	3,637,924		
(2)	Federal Funds .....		200,000	
Total Department of Exam- iners of Public Accounts .....		3,637,924	200,000	3,837,924
2. LEGISLATIVE COUNCIL:				
(a)	Legislative Operations and Support Program .....			180,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	180,000		
Pursuant to Section 29-6- 1 et seq., <u>Code of Alabama</u> <u>1975.</u>				
Total Legislative Council .....		180,000		180,000
3. LEGISLATIVE FISCAL OFFICE:				
(a)	Legislative Operations and Support Program (to include program review and evaluation) .....			944,916
SOURCE OF FUNDS:				
(1)	State General Fund .....	912,496		
(2)	State General Fund - State House Rent .....	32,420		
Total Legislative Fiscal Office		944,916		944,916
4. LEGISLATIVE REFERENCE SERVICE:				
(a)	Legislative Operations and Support Program .....			1,084,171
SOURCE OF FUNDS:				
(1)	State General Fund .....	1,038,257		
(2)	State General Fund - State House Rent .....	45,914		
Total Legislative Reference Service .....		1,084,171		1,084,171

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
5.	LEGISLATURE:			
	(a) Legislative Operations and Support Program .....			3,290,000
	It is the intent of the Legisla- ture that (1) the above appro- priation shall include the necessary technical expenses associated with reapportion- ment (2) that at least \$50,000 shall be allocated for the Ways and Means Committee, the House Rules Committee and the Speaker of the House Of- fice and (3) that at least \$50,000 shall be allocated for the Fi- nance and Taxation Commit- tee and the Lieutenant Governor's Pro Tempore.			
	The appropriation to the Leg- islature shall be expended un- der the provisions set forth in Section 29-1-22, <u>Code of Ala- bama 1975</u> , as amended.			
	SOURCE OF FUNDS:			
	(1) State General Fund .....	2,772,972		
	(2) State General Fund - State House Rent .....	517,028		
	Total Legislature .....	3,290,000		3,290,000
6.	LEGISLATURES, NATIONAL CONFERENCE OF STATE:			
	(a) Legislative Operations and Support Program .....			68,581
	SOURCE OF FUNDS:			
	(1) State General Fund .....	68,581		
	Total National Conference of State Legislatures .....	68,581		68,581
7.	LIEUTENANT GOVERNOR, OFFICE OF:			
	(a) Legislative Operations and Support Program .....			400,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	400,000		

**REGULAR SESSION  
25th Day**

1517

	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
Total Office of the Lieutenant Governor .....	400,000		400,000

The above appropriation to the Office of the Lieutenant Governor is conditional upon the passage of House Bill 904 of the 1987 Regular Session.

**2B. JUDICIAL:**

**1. COURT OF CIVIL APPEALS:**

(a) Court Operations Program .....		939,228
SOURCE OF FUNDS:		
(1) State General Fund .....	939,228	
Total Court of Civil Appeals ..	939,228	939,228

**2. COURT OF CRIMINAL APPEALS:**

(a) Court Operations Program .....		1,405,516
SOURCE OF FUNDS:		
(1) State General Fund .....	1,405,516	
Total Court of Criminal Appeals .....	1,405,516	1,405,516

**3. JUDICIAL INQUIRY COMMISSION:**

(a) Administrative Services Program .....		90,500
SOURCE OF FUNDS:		
(1) State General Fund .....	90,500	
Total Judicial Inquiry Commission .....	90,500	90,500

**4. JUDICIAL RETIREMENT FUND:**

(a) Retirement Systems Program .....		1,452,000
SOURCE OF FUNDS:		
(1) State General Fund .....	1,452,000	
Total Judicial Retirement Fund .....	1,452,000	1,452,000

**5. SUPREME COURT:**

(a) Court Operations Program .....		3,543,554
SOURCE OF FUNDS:		
(1) State General Fund .....	3,543,554	
Total Supreme Court .....	3,543,554	3,543,554

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
6.	UNIFIED JUDICIAL SYSTEM:			
	(Administrative Office of Courts)			
	(a) Court Operations Program .....			49,000,984
	(b) Administrative Services Program .....			3,041,589
	(c) Consultant and Planning Services Program .....			181,450
	(d) DUI Referral Program .....			90,725
	(e) Fringe Benefit Program, Estimated .....			300,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	52,314,748		
	(2) State General Fund-Social Security-County Judicial, Estimated .....	300,000		
	Total Unified Judicial System .....	52,614,748		52,614,748
2C.	EXECUTIVE:			
1.	ACADEMY OF HONOR, ALABAMA:			
	(a) Historical Resources Manage- ment Program .....			771
	SOURCE OF FUNDS:			
	(1) State General Fund .....	771		
	As provided in Section 41- 11-6, <u>Code of Alabama</u> <u>1975</u>			
	Total Alabama Academy of Honor .....	771		771
2.	ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:			
	(a) Professional and Occupational Licensing and Regulation Program .....			341,166
	SOURCE OF FUNDS:			
	(1) Alabama State Board of Public Accountancy Fund .....		341,166	
	As provided in Section 34- 1-22, <u>Code of Alabama</u> <u>1975</u> . In addition to the amounts appropriated hereinabove to the State			

**REGULAR SESSION  
25th Day**

1519

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or withdrawn by request of applicant.				
Total Alabama State Board of Public Accountancy .....			341,166	341,166
3.	ADJUSTMENT, BOARD OF:			
(a)	Special Services Program .....			310,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	15,000		
For the State General Fund Contribution to the total expenditure of \$750,000 pursuant to Section 41-9-73, <u>Code of Alabama 1975</u> , as amended.				
(2)	State General Fund, Estimated .....	280,000		
For expenditures as provided in Section 31-3-2 and Section 36-30-2, <u>Code of Alabama 1975</u> , as amended.				
(3)	State General Fund - Administrative Costs .....	15,000		
Total Board of Adjustment ....		310,000		310,000
4.	AERONAUTICS, DEPARTMENT OF:			
(a)	Airport Development and Aeronautical Support Program ....			768,824
SOURCE OF FUNDS:				
(1)	Airport Development Fund .....		768,824	
As provided by Section 4-2-42, <u>Code of Alabama 1975</u> .				
Total Department of Aeronautics .....			768,824	768,824

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
5.	AGING, COMMISSION ON:			
(a)	Planning and Advocacy for the Elderly Program .....			19,528,944
(b)	Transfer to Care Assurance System for the Aging and Homebound (CASA) .....			50,000
(c)	Medicaid Waivered Services Program .....			6,019,225

SOURCE OF FUNDS:

(1)	State General Fund - Transfer .....	1,405,000		
(2)	State General Fund - Transfer-Medicaid Waiver .....	1,607,735		
(3)	Federal, Local and Miscel- laneous Funds .....		22,585,434	
Total Commission on Aging ..		3,012,735	22,585,434	25,598,169

It is the intent of the Legislature that the Commission on Aging contract with the existing Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home and Community-Based Waiver for the Elderly and Disabled".

6. AGRICULTURAL AND  
CONSERVATION  
DEVELOPMENT  
COMMISSION:

(a)	Water Resource Development Program .....			2,066,250
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SOURCE OF FUNDS:

(1)	State General Fund - Transfer .....	2,066,250		
Total Agricultural and Conser- vation Development Commission .....		2,066,250		2,066,250

**REGULAR SESSION  
25th Day**

1521

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
7.	<b>AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:</b>			
	(a) Agricultural Development Services Program .....			27,218
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	27,218		
	<b>Total Alabama Agricultural and Industrial Exhibit Commission .....</b>	<b>27,218</b>		<b>27,218</b>
8.	<b>AGRICULTURAL CENTER BOARD:</b>			
	(a) Agricultural Development Services Program .....			682,871
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	94,354		
	For expense and awarding of prizes for fairs as pro- vided in Section 2-7-21, Code of Alabama 1975.			
	(2) State General Fund - Transfer-Operations .....	95,725		
	(3) State General Fund - Transfer-Livestock Coliseum .....	232,982		
	(4) Livestock Coliseum Fund .....		259,810	
	<b>Total Agricultural Center Board .....</b>	<b>423,061</b>	<b>259,810</b>	<b>682,871</b>
9.	<b>AGRICULTURE AND INDUSTRIES, DEPARTMENT OF:</b>			
	(a) Administrative Services Program .....			1,624,459
	(b) Agricultural Inspection Serv- ices Program .....			10,633,146
	(c) Laboratory Analysis and Dis- ease Control Program .....			3,799,104
	(d) Agricultural Development Services Program .....			2,472,440
	Of the above appropriation to the Agricultural Development Services Program, \$100,000 shall be allocated for capital outlay purposes to the Coffee			

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
County Commission farm complex.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer .....	8,044,380			
(2) Federal, Local and Miscel- laneous Funds .....			2,335,295	
(3) Shipping Point Inspection Fund .....			4,521,500	
Pursuant to Sections 2-9- 20 et seq., <u>Code of Ala- bama 1975</u> . All fees and charges collected by the Commissioner of Agricul- ture and Industries and deposited into said fund, and such appropriation to the Department of Agri- culture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection grading and classification services for agricultural products in- cluding services furnished for weighing and issuing weight certificates to be used for the sale of agri- cultural commodities.				
(4) Agricultural Fund .....			3,627,974	
Total Department of Agricul- ture and Industries .....	8,044,380	10,484,769	18,529,149	
10. ALABAMA TRUST FUND BOARD:				
(a) Administrative Program .....				226,813
SOURCE OF FUNDS:				
(1) State General Fund - Transfer .....	226,813			
Total Alabama Trust Fund Board .....	226,813			226,813
11. ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:				
(a) Alcoholic Beverage Manage- ment Program .....				23,241,833
(b) Enforcement Program .....				6,964,553



**REGULAR SESSION  
25th Day**

1523

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(c)	Administrative Services Program .....			5,721,981
	The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the Department of Mental Health of \$1,000,000 and a transfer to the Department of Human Resources of \$2,000,000.			

**SOURCE OF FUNDS:**

(1) ABC Board Fund .....	35,928,367
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In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period

JOURNAL OF THE SENATE, 1987  
25th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.			

Total Alabama Alcoholic Beverage Control Board .....	35,928,367	35,928,367
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12. ARCHITECTS, BOARD FOR  
REGISTRATION OF:

(a) Professional and Occupational Licensing and Regulation Program .....	166,000
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SOURCE OF FUNDS:

(1) Fund of the Board for Registration of Architects .....	166,000
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As provided in Section 34-2-41, Code of Alabama  
1975.

Total Board for Registration of Architects .....	166,000	166,000
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**REGULAR SESSION  
25th Day**

1525

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
13.	ARCHIVES AND HISTORY, DEPARTMENT OF:			
(a)	Historical Resources Manage- ment Program .....			2,259,807
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,643,367		
	(2) State General Fund - Ar- chives and History Build- ing Rent .....	450,000		
	(3) Federal Funds .....		166,440	
	Total Department of Archives and History .....	2,093,367	166,440	2,259,807
14.	ATTORNEY GENERAL, OFFICE OF THE:			
(a)	Legal Advice and Legal Serv- ices Program .....			6,023,881
(b)	Fair Marketing Practices Program .....			494,235
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer .....	4,773,443		
	(2) State General Fund - Transfer - Consumer Protection .....	489,235		
	(3) State General Fund - State House Rent .....	314,688		
	(4) Transfer from Depart- ment of Human Resources .....		445,386	
	(5) Federal, Local and Miscel- laneous Funds .....		495,364	
	Total Office of the Attorney General .....	5,577,366	940,750	6,518,116

In addition to the above appro-  
priation to the Office of the At-  
torney General, there is hereby  
appropriated the amount of  
\$500,000 to be conditioned  
upon obtaining federal funds.  
Said funds are to be used solely  
as a state match requirement  
for Federal Task Force and  
other Federal Grants; any un-  
used funds will remain part of

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
the overall General Fund and will not be allotted to the Office of the Attorney General. These funds cannot be used to supplant or replace existing state programs.				
15. AUDITOR, STATE:				
(a) Fiscal Management Program				804,322
SOURCE OF FUNDS:				
(1) State General Fund .....		774,102		
(2) State General Fund - State House Rent .....		30,220		
Total State Auditor .....		804,322		804,322
16. BANKING DEPARTMENT, STATE:				
(a) Charter, License and Regulate Financial Institutions Program .....				2,787,785
SOURCE OF FUNDS:				
(1) Banking Assessment Fees .....			2,484,685	
As provided in Section 5-2A-20, <u>Code of Alabama 1975</u> .				
(2) Loan Examination Fund .....			303,100	
As provided in Section 5-2A-24, Section 5-16-38.1, and Section 5-18-5, <u>Code of Alabama 1975</u> , as amended.				
Total State Banking Department .....			2,787,785	2,787,785

In addition to the above appropriation to the State Banking Department, there is hereby conditionally appropriated the amount of \$100,000 from the Banking Department's funds to be transferred to the Secretary of State notwithstanding the provisions of Title 5, Chapter 2A, Sections 20 and 24, of the Code of Alabama 1975. This conditional appropriation is conditioned upon passage of the

**REGULAR SESSION  
25th Day**

1527

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Uniform Commercial Code and Farm Products Central Index System Fee adjustment bill in the 1987 Regular Session of the Legislature and upon the ap- proval of the Governor.				
17.	BAR ASSOCIATION, ALABAMA STATE:			
(a)	Professional and Occupational Licensing and Regulation Program .....			1,181,881
SOURCE OF FUNDS:				
(1)	State Bar Association Fund .....		1,090,211	
	As provided in Section 34- 3-4 and Section 34-3-44, <u>Code of Alabama 1975.</u>			
(2)	Local Funds, Estimated ...		91,670	
	As provided in Sections 34- 3-44, 34-3-17 and 34-3-18, <u>Code of Alabama 1975.</u>			
Total Alabama State Bar Association .....			1,181,881	1,181,881
18.	BEAR CREEK DEVELOPMENT AUTHORITY:			
(a)	Water Resource Development Program .....			42,822
SOURCE OF FUNDS:				
(1)	State General Fund .....	42,822		
Total Bear Creek Develop- ment Authority .....		42,822		42,822
19.	BUILDING COMMISSION, STATE:			
(a)	Special Services Program .....			708,326
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	340,219		
(2)	Federal, Local and Miscel- laneous Funds .....		368,107	
Total State Building Commission .....		340,219	368,107	708,326

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
20.	CAHAWBA ADVISORY COMMITTEE:			
	(a) Historical Resources Manage- ment Program .....			9,550
	SOURCE OF FUNDS:			
	(1) State General Fund .....	9,550		
	Total Cahawba Advisory Committee .....	9,550		9,550
21.	CHILD ABUSE AND NEGLECT PREVENTION BOARD:			
	(a) Social Services Program .....			216,500
	In accordance with Sections 26- 16-1 et seq. and 26-16-30 et seq., <u>Code of Alabama 1975</u> , as amended.			
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer to Children's Trust Fund .....	125,000		
	(2) Children's Trust Fund, Estimated .....		91,500	
	Total Child Abuse and Neglect Prevention Board .....	125,000	91,500	216,500
22.	CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program .....			73,800
	SOURCE OF FUNDS:			
	(1) Alabama State Board of Chiropractic Examiner's Fund .....		73,800	
	As provided in Section 34- 24-143, <u>Code of Alabama</u> <u>1975</u> .			
	Total Alabama State Board of Chiropractic Examiners .....		73,800	73,800
23.	CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:			
	(a) State Land Management Program .....			805,000
	(b) Outdoor Recreation Sites and Services Program .....			16,305,551
	The above appropriation to the Outdoor Recreation Sites and			

**REGULAR SESSION  
25th Day**

1529

Fund Sources Included In Appropriation Total			Appropriation <u>Total</u>
General Fund	Trust Fund		
Services Program shall be allotted and expended only after the purchase of Cathedral Caverns in accordance with the provisions of Act 85-889. Of the above appropriation to Outdoor Recreation Sites and Services Program, and in addition to the regular allotment to be received by said parks, \$25,000 shall be allocated to Bucks Pocket State Park and \$25,000 shall be allocated to DeSoto State Park.			
(c) Marine Police Program .....			2,772,524
(d) Wildlife Game and Fish Program .....			12,753,314
Of the above appropriation to the Wildlife Game and Fish Program, at least \$15,000 shall be allocated for Sylvania Lake.			
(e) Marine Resources Program ....			1,905,000
(f) Land and Water Conservation Program .....			1,200,000
(g) Administrative Services Program .....			2,453,134
(h) Land Survey Program .....			342,387

The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operation expenses. The appropriation to the Department of Conservation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.

**SOURCE OF FUNDS:**

(1) State General Fund - Transfer .....	561,700	
(2) Game and Fish Fund ....		12,738,314
(3) State Lands Fund .....		805,000

The funds hereinabove appropriated from the

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
State Lands Fund in- cludes funds for analyz- ing, cataloging and monitoring mineral re- serves and the develop- ment thereof on State lands including water and offshore areas.				
(4)	Marine Resources Fund		1,905,000	
In addition to the monies hereinabove appropri- ated from the Marine Resources Fund, all mon- ies derived from con- tracts, grants or other agreements concerning or relating to marine biolog- ical research performed or accomplished at the Ma- rine Resources Division Laboratory at Dauphin Island is hereby appro- priated and may be expended by the Com- missioner of Conserva- tion on such Marine Resources Division pro- grams or projects which he deems appropriate.				
(5)	Marine Police Fund .....		2,772,524	
(6)	State Parks Fund .....		300,000	
(7)	Parks Revolving Fund ...		14,858,851	
(8)	Administrative Funds ....		2,453,134	
The funds hereinabove appropriated shall be payable as provided in Section 9-2-1 et seq., <u>Code of Alabama 1975.</u>				
(9)	Cigarette Tax .....		600,000	
(10)	Land Survey Fund .....		342,387	
(11)	Federal Land and Water Fund .....		1,200,000	
Total Department of Conser- vation and Natural Resources		561,700	37,975,210	38,536,910



REGULAR SESSION  
25th Day

1531

Fund Sources Included In Appropriation Total		
General Fund	Trust Fund	Appropriation Total
24. CONTRACTORS, STATE LICENSING BOARD FOR GENERAL:		
(a) Professional and Occupational Licensing and Regulation Program .....		373,287
SOURCE OF FUNDS:		
(1) State Licensing Board for General Contractors Fund .....	373,287	
Pursuant to Section 34-8- 25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Con- tractors, there is hereby appropriated such an amount as may be neces- sary to pay the refund of any application for license which may have been re- jected by the Board or ap- plication withdrawn by request of applicant.		
Total State Licensing Board for General Contractors .....	373,287	373,287
25. CORRECTIONS, DEPARTMENT OF:		
(a) Administrative Services and Logistical Support Program ...		8,892,505
(b) Institutional Services Correc- tions Program .....		97,139,946
(c) Correctional Industries Program .....		15,296,485
SOURCE OF FUNDS:		
(1) State General Fund - Transfer .....	105,339,511	
(2) Department of Correc- tions Fund .....	15,989,425	
The Commissioner of the Department of Correc- tions is authorized to utilize funds herein appropriated as matching contributions, where re- quired and appropriate, to		

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
generate additional funds which would effectively in- crease the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Correc- tions' operations are also hereby appropriated.				
Total Department of Corrections .....		105,339,511	15,989,425	121,328,936
26.	COSMETOLOGY, ALABAMA BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program .....			487,500
SOURCE OF FUNDS:				
(1)	Alabama Board of Cos- metology Fund .....		487,500	
	As provided in Section 34- 7-42, <u>Code of Alabama</u> 1975.			
Total Alabama Board of Cosmetology .....			487,500	487,500
27.	COUNSELING, ALABAMA BOARD OF EXAMINERS IN:			
(a)	Professional and Occupational Licensing and Regulation Program .....			48,500
SOURCE OF FUNDS:				
(1)	Alabama Board of Exam- iners in Counseling Fund .....		48,500	
	As provided in Section 34- 8A-6, <u>Code of Alabama</u> 1975.			
Total Alabama Board of Ex- aminers in Counseling .....			48,500	48,500
28.	CREDIT UNION ADMINISTRATION, ALABAMA:			
(a)	Charter, License and Regulate Financial Institutions Program .....			384,110
SOURCE OF FUNDS:				
(1)	Alabama Credit Union Administration Fund .....		384,110	

**REGULAR SESSION  
25th Day**

1533

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 5-17-7, <u>Code of Alabama 1975</u> , as amended.				
Total Alabama Credit Union Administration .....			384,110	384,110
29.	CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:			
(a)	Special Services Program, Estimated .....			344,257
SOURCE OF FUNDS:				
(1)	Alabama Crime Victims Compensation Commis- sion Fund, Estimated .....		344,257	
To be expended in accord- ance with Sections 15-23- 1 et seq., <u>Code of Alabama</u> <u>1975</u> , as amended.				
Total Alabama Crime Victims Compensation Commission ....			344,257	344,257
30.	CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
(a)	Criminal Justice Information Services Program .....			3,025,534
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	2,336,431		
(2)	Local Funds .....		689,103	
Total Alabama Criminal Jus- tice Information Center .....		2,336,431	689,103	3,025,534
31.	DEVELOPMENT OFFICE, ALABAMA:			
(a)	Promotional Development Program-Alabama Film Commission .....			250,000
(b)	Administrative Services Pro- gram-Office of Minority Business .....			95,500
(c)	Industrial Development Pro- gram-Alabama Development Office .....			4,009,451

**JOURNAL OF THE SENATE, 1987**  
**25th Day**

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
SOURCE OF FUNDS:			
(1) State General Fund - Transfer - Alabama De- velopment Office .....	3,909,451		
(2) State General Fund - Transfer - Office of Mi- nority Business .....	95,500		
(3) State General Fund - Transfer - Alabama Film Commission .....	250,000		
(4) Federal, Local and Miscel- laneous Funds .....		100,000	
Total Alabama Development Office .....	4,254,951	100,000	4,354,951

**32. DISTRICT ATTORNEYS:**

(a) Court Operations Program ..... 10,095,488

The proposed spending plan  
included in the above total is  
as follows:

Salaries of District  
Attorneys ..... 2,297,275

Salary of elected Deputy Dis-  
trict Attorney of the Bessemer  
Division of the 10th Judicial  
Circuit ..... 56,319

For the use of the elected As-  
sistant District Attorney of the  
Bessemer Division of the 10th  
Judicial Circuit ..... 110,947

Salaries and expenses of Su-  
pernumerary District

Attorneys ..... 1,142,512

For use in the District Attor-  
ney's Office of the following  
Judicial Circuits:

1st Judicial Circuit ..... 97,999

2nd Judicial Circuit ..... 90,622

3rd Judicial Circuit ..... 145,303

4th Judicial Circuit ..... 340,314

5th Judicial Circuit ..... 294,072

6th Judicial Circuit ..... 242,048

7th Judicial Circuit ..... 188,715

8th Judicial Circuit ..... 147,564

9th Judicial Circuit ..... 117,994

**REGULAR SESSION  
25th Day**

1535

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
10th Judicial Circuit ...	370,757		
11th Judicial Circuit ...	105,365		
12th Judicial Circuit ...	210,978		
13th Judicial Circuit ...	349,688		
14th Judicial Circuit ...	109,224		
15th Judicial Circuit ...	345,239		
16th Judicial Circuit ...	165,981		
17th Judicial Circuit .....	72,884		
18th Judicial Circuit ...	182,293		
19th Judicial Circuit ...	138,772		
20th Judicial Circuit ...	165,997		
21st Judicial Circuit ...	125,780		
22nd Judicial Circuit ..	109,374		
23rd Judicial Circuit ...	256,725		
24th Judicial Circuit ...	103,211		
25th Judicial Circuit .....	99,249		
26th Judicial Circuit ...	168,785		
27th Judicial Circuit ...	127,409		
28th Judicial Circuit ...	150,768		
29th Judicial Circuit ...	157,560		
30th Judicial Circuit ...	157,361		
31st Judicial Circuit ...	101,825		
32nd Judicial Circuit ..	117,925		
33rd Judicial Circuit ...	112,930		
34th Judicial Circuit .....	89,915		
35th Judicial Circuit .....	85,647		
36th Judicial Circuit .....	86,632		
37th Judicial Circuit ...	133,631		
38th Judicial Circuit ...	123,011		
39th Judicial Circuit .....	90,632		
Travel Expense of District Attorneys .....	64,302		
Investigators Subsistence-Act 85-754 .....	143,954		
<b>SOURCE OF FUNDS:</b>			
(1) State General Fund .....	10,095,488		
Total District Attorneys .....	10,095,488		10,095,488

**JOURNAL OF THE SENATE, 1987**  
**25th Day**

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
33.	<b>ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:</b>			
(a)	Administrative Support Serv- ices Program .....			4,698,526
(b)	Planning Program .....			38,200,133
(c)	Special Services Program .....			20,787,372
(d)	Skills Enhancement and Em- ployment Opportunities Program .....			66,881,788
(e)	Energy Management Program .....			13,524,843
(f)	Traffic Control and Accident Prevention Program .....			3,051,323
(g)	Law Enforcement Planning and Development Program .....			2,192,481
(h)	Surplus Property Program .....			1,116,700
(i)	Regional Planning Commission .....			300,000
(j)	Coal Water Fuel Development Project .....			100,000
	<b>SOURCE OF FUNDS:</b>			
(1)	State General Fund - Transfer .....	5,262,983		
(2)	Federal, Local and Miscel- laneous Funds .....		140,624,915	
(3)	Administrative Transfers		3,848,568	
(4)	Administrative Transfers from Federal Donated Sur- plus Property Sales .....		506,700	
(5)	Administrative Transfers from State-Owned Surplus Property Sales .....		610,000	
	<b>Total Alabama Department of Economic and Community Affairs .....</b>	<b>5,262,983</b>	<b>145,590,183</b>	<b>150,853,166</b>
34.	<b>ELECTRICAL CONTRACTORS, BOARD OF:</b>			
(a)	Professional and Occupational Licensing and Regulation Program .....			85,000
	<b>SOURCE OF FUNDS:</b>			
(1)	Electrical Contractors Board Fees .....		85,000	

**REGULAR SESSION  
25th Day**

1537

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided by Act No. 85-921, 1985 Second Special Session.				
Total Board of Electrical Contractors .....			85,000	85,000
35. ELK RIVER DEVELOPMENT AGENCY:				
(a) Water Resource Development Program .....				4,265
SOURCE OF FUNDS:				
(1) State General Fund .....		4,265		
Total Elk River Development Agency .....		4,265		4,265
36. EMERGENCY MANAGEMENT AGENCY:				
(a) Readiness and Recovery Program .....				4,129,530
(b) Transfer to County Emergency Management Agencies .....				350,000
The above appropriation of \$350,000 is to be in addition to the regular allocations to county emergency management agencies.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer .....		1,054,469		
(2) Federal, Local and Miscellaneous Funds .....			3,425,061	
Total Emergency Management Agency .....		1,054,469	3,425,061	4,479,530
37. ENERGY BOARD, SOUTHERN STATES:				
(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Research and Topographic Mapping Program .....				21,171
SOURCE OF FUNDS:				
(1) State General Fund .....		21,171		
Total Southern States Energy Board .....		21,171		21,171

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
38.	ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:			
(a)	Professional and Occupational Licensing and Regulation Program .....			393,799
	SOURCE OF FUNDS:			
(1)	Professional Engineers' Fund .....		393,799	
	As provided in Section 34- 11-36, <u>Code of Alabama</u> 1975.			
	Total State Board of Registra- tion for Professional Engineers and Land Surveyors .....		393,799	393,799
39.	ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:			
(a)	Environmental Management Program .....			10,739,581
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer .....	2,513,488		
(2)	Environmental Manage- ment Fees and Fines .....		2,400,945	
	As provided in Section 22- 22A-11, <u>Code of Alabama</u> 1975 (1983 Cum. Supp.).			
(3)	Federal, Local and Miscel- laneous Funds .....		5,825,148	
	Total Department of Environ- mental Management .....	2,513,488	8,226,093	10,739,581
40.	ETHICS COMMISSION, ALABAMA:			
(a)	Regulation of Public Officials and Employees Program .....			305,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	305,000		
	Total Alabama Ethics Commission .....	305,000		305,000



**REGULAR SESSION  
25th Day**

1539

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
41.	<b>FARM CRISIS AND TRANSITION PROGRAM:</b>			
	(a) Agricultural Development Services Program .....			166,250
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	166,250		
	<b>Total Farm Crisis and Tran- sition Program .....</b>	<b>166,250</b>		<b>166,250</b>
42.	<b>FARMERS' MARKET AUTHORITY:</b>			
	(a) Agricultural Development Services Program .....			229,101
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund - Transfer for Administration .....	73,216		
	(2) Farmers' Market Author- ity Fund - Revenue and Capital Outlay Account ....		155,885	
	<b>Total Farmers' Market Authority .....</b>	<b>73,216</b>	<b>155,885</b>	<b>229,101</b>
43.	<b>FINANCE, DEPARTMENT OF:</b>			
	(a) Fiscal Management Program .....			3,148,950
	(b) Administrative Support Serv- ices Program .....			3,858,675
	(c) Capitol Police - Equipment ....			71,036
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	6,838,157		
	(2) State General Fund - State House Rent .....	190,504		
	(3) Miscellaneous Funds .....		50,000	
	<b>Total Department of Finance .....</b>	<b>7,028,661</b>	<b>50,000</b>	<b>7,078,661</b>
44.	<b>FINANCE, DEPARTMENT OF- AIR TRANSPORTATION:</b>			
	(a) Administrative Support Serv- ices Program .....			1,598,243
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund - Transfer .....	1,142,808		
	(2) Departmental Receipts .....		455,435	

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Department of Finance - Air Transportation .....		1,142,808	455,435	1,598,243
45. FINANCE, DEPARTMENT OF- STATE INSURANCE FUND:				
(a) Administrative Support Serv- ices Program .....				783,051
SOURCE OF FUNDS:				
(1) State Insurance Fund - Administrative .....			783,051	
As provided in Section 41- 15-1 et seq., <u>Code of Ala- bama 1975.</u>				
Total Department of Finance - State Insurance Fund .....			783,051	783,051
46. FOREIGN TRADE RELATIONS COMMISSION:				
(a) Special Services Program .....				80,220
SOURCE OF FUNDS:				
(1) State General Fund .....		80,220		
Total Foreign Trade Relations Commission .....		80,220		80,220
47. FORENSIC SCIENCES, DEPARTMENT OF:				
(a) Forensic Science Services Program .....				5,309,000
SOURCE OF FUNDS:				
(1) State General Fund .....		5,122,000		
(2) Federal, Local and Miscel- laneous Funds .....			187,000	
Total Department of Forensic Sciences .....		5,122,000	187,000	5,309,000
48. FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:				
(a) Professional and Occupational Licensing and Regulation Program .....				24,500
SOURCE OF FUNDS:				
(1) Professional Foresters' Fund .....			24,500	

**REGULAR SESSION  
25th Day**

1541

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 34- 12-36, <u>Code of Alabama</u> <u>1975.</u>				
Total Alabama State Board of Registration for Foresters .....			24,500	24,500
49. FORESTRY COMMISSION, ALABAMA:				
(a)	Forest Resources Protection Program .....			13,388,910
(b)	Forest Resources Development Program .....			3,179,900
(c)	Administrative Services Program .....			2,230,690
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	10,367,500		
(2)	Federal and Local Funds		2,275,000	
(3)	Forestry Commission Fund .....		6,157,000	
Of the above appropriation, at least \$650,000 shall be used for rural and com- munity fire protection.				
Total Alabama Forestry Commission .....		10,367,500	8,432,000	18,799,500

In addition to the above appropriation to the Alabama Forestry Commission, there is hereby conditionally appropriated \$400,000 for capital outlay from the Alabama Forestry Commission Fund contingent on the satisfactory sale of certain present property where the Birmingham District Headquarters is located in Jefferson County. The proceeds from said sale shall be covered into the Alabama Forestry Commission Fund. The above conditional appropriation shall be used to purchase land, building(s), and/or construction of building(s) in order to relocate the Birmingham District

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Headquarters. This conditional appropriation shall become absolute when said sale is concluded, recommended by the Finance Director and approved by the Governor.				
50.	FUNERAL SERVICE, ALABAMA BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program .....			120,000
SOURCE OF FUNDS:				
(1)	Alabama Funeral Directors and Embalmers Fund .....		120,000	
As provided in Section 34-13-23, <u>Code of Alabama 1975</u> , as amended.				
Total Alabama Board of Funeral Service .....			120,000	120,000
51.	GEOLOGICAL SURVEY:			
(a)	Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program .....			2,020,034
SOURCE OF FUNDS:				
(1)	State General Fund .....	1,653,001		
(2)	Federal, Local and Miscellaneous Funds .....		367,033	
Total Geological Survey .....		1,653,001	367,033	2,020,034
52.	GORGAS MEMORIAL BOARD:			
(a)	Historical Resources Management Program .....			7,894
SOURCE OF FUNDS:				
(1)	State General Fund .....	7,894		
As provided in Section 41-9-220, <u>Code of Alabama 1975</u> and an additional amount.				
Total Gorgas Memorial Board .....		7,894		7,894

REGULAR SESSION  
25th Day

1543

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
53.	GOVERNOR'S CONTINGENCY FUND:			
	(a) Executive Direction Program			1,562,900
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,562,900		
	Total Governor's Contingency Fund .....	1,562,900		1,562,900
54.	GOVERNOR'S MANSION ADVISORY BOARD:			
	(a) Historical Resources Manage- ment Program .....			9,073
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer .....	9,073		
	Total Governor's Mansion Ad- visory Program .....	9,073		9,073
55.	GOVERNOR'S MANSION:			
	(a) Executive Direction Program			181,450
	SOURCE OF FUNDS:			
	(1) State General Fund .....	181,450		
	Total Governor's Mansion .....	181,450		181,450
56.	GOVERNOR'S OFFICE:			
	(a) Executive Direction Program			1,464,506
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,388,093		
	(2) State General Fund - State House Rent .....	76,413		
	Total Governor's Office .....	1,464,506		1,464,506
57.	GOVERNOR'S OFFICE-LEGAL:			
	(a) Executive Direction Program			92,540
	SOURCE OF FUNDS:			
	(1) State General Fund .....	92,540		
	Total Governor's Office-Legal	92,540		92,540
58.	GOVERNOR'S VOLUNTARY CITIZENS' PARTICIPATION:			
	(a) Executive Direction Program			82,410
	SOURCE OF FUNDS:			
	(1) Federal, Local and Miscel- laneous Funds .....		13,065	

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2)	Transfer from Governor's Office .....		69,345	
	Total Governor's Voluntary Citizens' Participation .....		82,410	82,410
59.	HEALTH, DEPARTMENT OF PUBLIC:			
(a)	Personal Health Improvement Program .....			57,675,144
(b)	Health Support Services Program .....			59,977,764
	Of this amount \$6,429,836 shall go to support local health de- partment services of which \$4,020,000 shall be used to pro- vide a minimum staff in each of the sixty-seven counties, and the remaining amount shall be distributed on a one-to-one match with locally appropri- ated funds for the support of local health services on a for- mula to be determined by the department. At the end of the first quarter, any unmatched funds may be distributed to other counties with appropri- ate matching funds.			
(c)	Administrative Services Program .....			6,684,736
	SOURCE OF FUNDS:			
(1)	State General Fund .....	20,593,995		
(2)	Cigarette Tax-\$0.01 and \$0.02 .....		4,002,848	
	As provided in Section 40-25-2 and Section 40- 25-23, <u>Code of Alabama</u> 1975, as amended.			
(3)	Vital Statistics Fund .....		1,693,053	
(4)	Hospital Licensing Fund .....		225,000	
(5)	Emergency Medical Services Fund .....		50,000	
	As provided in Section 22-18-4, <u>Code of Ala- bama</u> 1975.			

**REGULAR SESSION  
25th Day**

1545

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(6)	Local Health Department .....		39,491,371	
(7)	Nuclear Monitoring Fund .....		112,000	
(8)	Radiation Safety Fund ...		172,000	
(9)	Miscellaneous Funds .....		5,735,749	
(10)	Federal Funds .....		52,261,628	
Total Department of Public Health .....		20,593,995	103,743,649	124,337,644
60.	HEALTH PLANNING AGENCY, STATE:			
(a)	Health Planning, Develop- ment and Regulation Program .....			712,455
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	287,455		
(2)	Certificate of Need Fees ...		375,000	
(3)	Federal, Local and Miscel- laneous Funds .....		50,000	
Total State Health Planning Agency .....		287,455	425,000	712,455
61.	HEARING AID DEALERS, ALABAMA BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program .....			50,000
SOURCE OF FUNDS:				
(1)	State Board of Health - Hearing Aid Fund .....		50,000	
As provided in Section 34- 14-33, <u>Code of Alabama</u> 1975.				
Total Alabama Board of Hear- ing Aid Dealers .....			50,000	50,000
62.	HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program .....			117,332

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) Heating and Air Conditioning Contractors Fund		117,332		
Total Board of Heating and Air Conditioning Contractors .....		117,332		117,332
63. HERITAGE TRUST FUND, ALABAMA:				
(a) Fiscal Management Program				20,000
SOURCE OF FUNDS:				
(1) Heritage Trust Income .....		20,000		
Total Alabama Heritage Trust Fund .....		20,000		20,000
64. HIGHWAY DEPARTMENT:				
(a) Central Administration Program .....				10,080,682
(b) Division and District Supervision Program .....				18,869,261
(c) Operations and Support Services Program .....				8,351,901
(d) Maintenance Program .....				129,113,937
(e) Non-Programmatic Programs .....				92,036,209
Proposed Spending Plan for the above (e) includes the following:				
Debt Service .....		89,992,392		
Equipment-Other than Automotive .....		2,043,817		
(f) Construction-Federal Aid Program .....				409,987,568
Proposed Spending Plan for the above (f) includes the following:				
Federal Aid Matching .....		60,615,416		
Non-Participating Work on Federal Projects .....		1,000,000		
Federal Aid .....		348,372,152		
(g) Construction-State Program ..				20,150,000
(h) Operations-Land and Buildings .....				1,745,700



REGULAR SESSION  
25th Day

1547

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
SOURCE OF FUNDS:			
(1) State General Fund - Transfer .....	211,500		
(2) Public Road and Bridge Fund .....		341,751,606	
(3) Federal Aid .....		348,372,152	

There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of \$89,992,392 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment.

The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h) of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the

JOURNAL OF THE SENATE, 1987  
25th Day

Fund Sources Included  
In Appropriation Total

General Fund	Trust Fund	Appropriation Total
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State Highway Department:

(1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full, (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available.

Total Highway Department ...	211,500	690,123,758	690,335,258
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65. HISTORIC BLAKELEY  
AUTHORITY:

(a) Tourism and Travel Promotion Program .....	124,150
(b) Capital Outlay .....	50,000

SOURCE OF FUNDS:

(1) State General Fund .....	174,150	
Total Historic Blakeley Authority .....	174,150	174,150

66. HISTORIC CHATTAHOOCHEE  
COMMISSION:

(a) Historical Resources Management Program .....	80,000
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REGULAR SESSION  
25th Day

1549

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1)	State General Fund .....	80,000		
Total Historic Chattahoochee Commission .....		80,000		80,000
67. HISTORICAL COMMISSION, ALABAMA:				
(a)	Historical Resources Manage- ment Program .....			1,312,192
(b)	Historical Resources Manage- ment Program-Capital Outlay .....			239,000
(c)	Historical Preservation Projects .....			200,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	685,455		
The State General Fund appropriation shall be dis- tributed as follows:				
Historical Commission, Alabama .....484,858				
Historical Commission - La Grange .....7,774				
Historical Commission - Richard P. Hobson Me- morial Board .....5,724				
Historical Commission - Fort Morgan .....110,345				
Historical Commission - Fort Toulouse .....40,294				
Historical Commission - John T. Morgan House, Selma .....11,460				
Historical Commission - Cahaba .....25,000				
(2)	State General Fund - Transfer-Capital Outlay ..	239,000		
The State General Fund Transfer for Capital Out- lay shall be distributed as follows:				
Belle Mont .....94,000				
Cahaba .....25,000				
Fort Morgan .....25,000				

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
John T. Morgan				
House .....	50,000			
Magnolia Grove .....	45,000			
(3) State General Fund - Transfer - Historical Pres- ervation Projects .....	200,000			
(4) Federal, Local and Miscel- laneous Funds .....			626,737	
Total Alabama Historical Commission .....		1,124,455	626,737	1,751,192

68. HUMAN RESOURCES,  
DEPARTMENT OF:

(a) Human Services Program ..... 256,238,481

It is the intent of the Legisla-  
ture that allotments be made  
to the County Departments of  
Human Resources in the  
amount of \$165,500 to fund,  
upon approval of the county  
department director, supple-  
mental client services not oth-  
erwise provided for through  
existing programs of the De-  
partment of Human Re-  
sources. Allotments to the  
county departments based on  
the counties' populations ac-  
cording to the 1980 census are  
as follows: county populations  
greater than 50,000, \$3,500;  
county populations less than  
50,000, \$2,000.

The appropriation to the De-  
partment of Human Resources  
shall include a transfer to the  
Department of Mental Health  
and Mental Retardation of  
\$2,500,000 of Title XX Funds.

SOURCE OF FUNDS:

(1) State General Fund - Transfer .....	10,035,931	
(2) Federal, Local and Mis- cellaneous Funds .....		170,513,794
(3) ABC Profits .....		1,250,000
(4) Whiskey Tax .....		19,600,000
(5) Beer Tax .....		8,100,000

REGULAR SESSION  
25th Day

1551

	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
(6) Pension Residue .....		12,350,000	
(7) Sales Tax .....		1,322,000	
(8) Franchise Tax .....		10,958,000	
(9) Contracts, Service Fees ..		80,000	
(10) Child Support Collections .....		2,943,756	
(11) Sales Tax for Food Stamps .....		10,760,000	
(12) Cigarette Tax .....		4,375,000	
(13) Contractor's Gross Re- ceipts Tax .....		1,950,000	
(14) Transfer from ABC Board .....		2,000,000	
Total Department of Human Resources .....	10,035,931	246,202,550	256,238,481

It is the intent of the Legisla-  
ture that two-thirds of the  
state's present and future client  
slots for the program known as  
the "Medicaid Waiver Services  
Program-Home and Commu-  
nity-Based Waiver for the El-  
derly and Disabled" be served  
by the Department of Human  
Resources.

69. INDIAN AFFAIRS  
COMMISSION, ALABAMA:

(a) Social Services Program ..... 128,925

The above appropriation is to  
be expended in accordance with  
Sections 41-9-708 et seq., Code  
of Alabama 1975, as amended.

SOURCE OF FUNDS:

(1) State General Fund ..... 128,925

Total Alabama Indian Affairs  
Commission .....

128,925 128,925

70. INDUSTRIAL  
DEVELOPMENT  
AUTHORITY, STATE:

(a) Industrial Development  
Program ..... 97,000

SOURCE OF FUNDS:

(1) SIDA Application Fees

Fund ..... 97,000

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total State Industrial Development Authority .....			97,000	97,000
<hr/>				
71.	INDUSTRIAL RELATIONS, DEPARTMENT OF:			
(a)	Unemployment Compensation Program .....			16,037,088
(b)	Skills Enhancement and Employment Opportunities Program .....			19,395,639
(c)	Industrial Safety and Accident Prevention Program .....			4,833,596
(d)	Administrative Services Program .....			8,400,946
(e)	Workmen's Compensation Program .....			549,827
SOURCE OF FUNDS:				
(1)	State General Fund .....	1,148,296		
(2)	Federal, Local and Miscellaneous Funds .....		48,068,800	
Total Department of Industrial Relations .....		1,148,296	48,068,800	49,217,096
<hr/>				
72.	INSURANCE, DEPARTMENT OF:			
(a)	Regulatory Services Program .....			2,316,506
SOURCE OF FUNDS:				
(1)	State General Fund .....	1,244,919		
(2)	Examiners Fund .....		938,161	
(3)	Fire Marshal's Fund .....		133,426	
As provided in Section 24-5-10, <u>Code of Alabama 1975, as amended.</u>				
Any balance in excess of \$50,000 at the end of the fiscal year shall be transferred to the State General Fund.				
Total Department of Insurance .....		1,244,919	1,071,587	2,316,506
<hr/>				
73.	INSURANCE BOARD, STATE EMPLOYEES:			
(a)	Administrative Support Services Program .....			122,900

**REGULAR SESSION  
25th Day**

1553

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State Employees' Insurance Board Expense Fund .....			122,900	
Total State Employees' Insurance Board .....			122,900	122,900
74. INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:				
(a) Professional and Occupational Licensing and Regulation Program .....				5,700
SOURCE OF FUNDS:				
(1) Interior Designers Fund ... As provided in Section 34-15A-7, <u>Code of Alabama</u> <u>1975</u> , (1983 Cum. Supp.).			5,700	
Total Alabama State Board of Registration for Interior Designers .....			5,700	5,700
75. LABOR, DEPARTMENT OF:				
(a) Regulatory Services Program				350,480
SOURCE OF FUNDS:				
(1) State General Fund .....		301,480		
(2) Federal, Local and Miscellaneous Funds .....			49,000	
Total Department of Labor ....		301,480	49,000	350,480
76. LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS FOR:				
(a) Professional and Occupational Licensing and Regulation Program .....				15,895
SOURCE OF FUNDS:				
(1) Landscape Architects Fund .....			15,895	
As provided in Section 34-17-6, <u>Code of Alabama</u> <u>1975</u> .				
Total Board of Examiners for Landscape Architects .....			15,895	15,895
77. LIQUEFIED PETROLEUM GAS BOARD:				
(a) Regulatory Services Program				267,000

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) Liquefied Petroleum Gas Board Fund .....			267,000	
Total Liquefied Petroleum Gas Board .....			267,000	267,000
78. MANUFACTURED HOUSING COMMISSION, ALABAMA:				
(a) Regulatory Services Program				149,486
SOURCE OF FUNDS:				
(1) Alabama Manufactured Housing Commission Fund .....			149,486	
As provided in Section 24- 5-13.1, <u>Code of Alabama</u> <u>1975, as amended.</u>				
Total Alabama Manufactured Housing Commission .....			149,486	149,486
79. MEDICAID AGENCY, ALABAMA:				
(a) Medical Assistance Through Medicaid Program .....				473,096,314
SOURCE OF FUNDS:				
(1) State General Fund - Transfer .....	100,600,000			
(2) Transfer from Depart- ment of Human Resources .....			1,945,674	
(3) Transfer from Mental Health .....			18,109,380	
(4) Federal, Local and Miscel- laneous Funds .....			352,441,260	
Total Alabama Medicaid Agency .....	100,600,000	372,496,314		473,096,314

In addition to the above appropriation to the Alabama Medicaid Agency, it is the intent of the Legislature that any donations, appropriations or funds received by the state on behalf of the Alabama Medicaid Agency's program to expand medical coverage for expectant mothers, mothers and babies is hereby appropriated to the



**REGULAR SESSION  
25th Day**

1555

Fund Sources Included  
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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Alabama Medicaid Agency. It is the intent of the Legislature that of the above appropriation to the Alabama Medicaid Agency, the funds necessary to reinstate the Medicare Part A deductible and the Medicare co-payment for eligible Medicaid recipients shall be expended for said purpose. Both programs shall be reinstated effective January 1, 1988. In addition to the above appropriation to the Alabama Medicaid Agency, there is hereby appropriated \$5,272,373 to be conditioned upon the availability of funds in the State General Fund, the necessity of the release of said funds to maintain existing services, and the approval of the Governor.

80. **MENTAL HEALTH AND  
MENTAL RETARDATION,  
DEPARTMENT OF:**

(a) Institutional Treatment and Care-Mental Illness Program .....	84,495,467
(b) Institutional Treatment and Care-Mental Retardation Program .....	68,027,005
(c) Institutional Treatment and Care-Criminally Insane Program .....	5,195,229
(d) Administrative Services Program .....	5,002,186
(e) Community Services Program .....	51,101,196
(f) Patient Advocacy Program .....	298,003
(g) Special Mental Health Services Program .....	100,000

**SOURCE OF FUNDS:**

(1) State General Fund - Transfer .....	57,083,000
(2) Special Mental Health Trust Fund .....	83,043,403

For operations and maintenance of the State Mental Health and Mental

JOURNAL OF THE SENATE, 1987  
25th Day

	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
Retardation Department and the Mental Health and Mental Retardation Community Programs, including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.			
(3) Transfer from ABC Profits .....		1,000,000	
(4) Cigarette Tax .....		6,700,000	
(5) Transfer from Department of Human Resources-Title XX .....		2,500,000	
(6) Federal, Local and Miscellaneous Funds .....		63,892,683	
Total Department of Mental Health and Mental Retardation .....	57,083,000	157,136,086	214,219,086
81. MILITARY DEPARTMENT:			
(a) Military Operations Program .....			5,394,188
(b) Capital Outlay .....			250,000
SOURCE OF FUNDS:			
(1) State General Fund - Operations .....	1,644,538		
(2) State General Fund - Quarterly Allowances Headquarters .....	1,363,800		
Regular Allowance Units to be used solely for operating expenses; provided, that no more than \$4,500 shall be allotted in any fiscal year for the Alabama National Guard Headquarters.			
(3) State General Fund - Transfer-Capital Outlay for Architect and Engineering Services, specifications and construction of facilities .....	250,000		
(4) State General Fund - Active Military Service .....	75,000		

REGULAR SESSION  
25th Day

1557

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(5)	State General Fund - Transfer to Armory Commission .....	2,300,000		
(6)	State General Fund - Dropping Allowance .....	4,500		
(7)	State General Fund - State Defense Force .....	6,350		
Total Military Department ....		5,644,188		5,644,188
82. MILITARY DEPARTMENT- ARMORY COMMISSION OF ALABAMA:				
(a)	Military Operations Program			4,340,843
SOURCE OF FUNDS:				
(1)	Transfer from Military Department .....		2,300,000	
(2)	Federal, Local and Miscel- laneous Funds .....		2,040,843	
The funds hereinabove appropriated to the Ar- mory Commission shall be payable from the funds in the State Treasury to the credit of the Armory Com- mission and the appropri- ation hereinabove made includes the appropriation made for the care, main- tenance, and construction of facilities; provided, however, that the last fed- eral government service contract reimbursement shall not revert to the State General Fund. Any sur- plus remaining in the Ar- mory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.				
Total Armory Commission of Alabama .....			4,340,843	4,340,843
83. MOTOR SPORTS HALL OF FAME:				
(a)	Tourism and Travel Promo- tion Program .....			68,044

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund .....	68,044		
Total Motor Sports Hall of Fame .....		68,044		68,044
84.	MUSIC HALL OF FAME, ALABAMA:			
	(a) Fine Arts Program .....			115,725
SOURCE OF FUNDS:				
	(1) State General Fund .....	115,725		
Total Alabama Music Hall of Fame .....		115,725		115,725
85.	NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:			
	(a) Professional and Occupational Licensing and Regulation Program .....			40,000
SOURCE OF FUNDS:				
	(1) Board of Examiners of Nursing Home Adminis- trators Fund .....		40,000	
	As provided in Section 34- 20-7, <u>Code of Alabama</u> <u>1975</u> , as amended.			
Total Board of Examiners of Nursing Home Administrators .....			40,000	40,000
86.	OIL AND GAS BOARD:			
	(a) Management and Regulation of Oil and Gas Exploration and Development Program .....			2,012,060
SOURCE OF FUNDS:				
	(1) State General Fund .....	2,002,060		
	(2) Federal, Local and Miscel- laneous Funds .....		10,000	
Total Oil and Gas Board .....		2,002,060	10,000	2,012,060
In addition to the above appro- priation to the Oil and Gas Board, there is hereby condi- tionally appropriated the amount of \$100,000 from the Oil and Gas Board Special				

**REGULAR SESSION  
25th Day**

1559

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Fund to be conditioned upon the passage of the legislation creating the Oil and Gas Board Special Fund during the 1987 Regular Session, and upon approval of the Governor.				
87.	PARDONS AND PAROLES, BOARD OF:			
(a)	Administration of Pardons and Paroles Program .....			9,133,457
SOURCE OF FUNDS:				
(1)	State General Fund .....	6,344,957		
(2)	Probationers Upkeep Fund .....		2,788,500	
In accordance with Section 15-22-2, <u>Code of Alabama 1975</u> .				
Total Board of Pardons and Paroles .....		6,344,957	2,788,500	9,133,457
88.	PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:			
(a)	Retirement Systems Program .....			262,912
SOURCE OF FUNDS:				
(1)	Peace Officers' Annuity and Benefit Fund .....		262,912	
As provided in Section 36-21-66, <u>Code of Alabama 1975</u> .				
Total Alabama Peace Officers' Annuity and Benefit Fund .....			262,912	262,912
89.	PERSONNEL DEPARTMENT, STATE:			
(a)	Administrative Support Services Program .....			2,498,608
SOURCE OF FUNDS:				
Transfers to the State Personnel Department shall be as follows:				
(1)	Board of Public Accountancy .....		243	
(2)	Department of Aeronautics .....		364	

JOURNAL OF THE SENATE, 1987  
25th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(3) Commission on Aging ....		1,658	
(4) Department of Agriculture and Industries .....		39,584	
(5) Agricultural Center Board .....		1,294	
(6) Alcoholic Beverage Control Board .....		77,267	
(7) Board of Registration for Architects .....		121	
(8) Archives and History ....		3,679	
(9) Council on Arts and Humanities .....		687	
(10) Attorney General's Office .....		11,240	
(11) State Auditor .....		1,496	
(12) State Banking Department .....		4,124	
(13) Building Commission ....		1,617	
(14) Child Abuse and Neglect Prevention Board .....		81	
(15) Chiropractic Examiners .....		81	
(16) Civil Air Patrol .....		81	
(17) Department of Conservation and Natural Resources .....		84,181	
(18) State Licensing Board for General Contractors .....		445	
(19) Department of Corrections .....		217,124	
(20) Board of Cosmetology ....		809	
(21) Credit Union Administration .....		445	
(22) Alabama Crime Victims Compensation .....		526	
(23) Criminal Justice Information Center .....		4,124	
(24) Alabama Development Office .....		2,830	
(25) State Docks .....		42,940	
(26) Department of Economic and Community Affairs .....		26,564	
(27) Department of Education .....		111,999	

REGULAR SESSION  
25th Day

1561

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(28) Electrical Contractors Board .....		40	
(29) Emergency Management Agency .....		3,275	
(30) Local Emergency Management .....		5,000	
(31) Board of Registration for Professional Engineers and Land Surveyors .....		364	
(32) Department of Environ- mental Management .....		19,529	
(33) Ethics Commission .....		566	
(34) Examiners of Public Accounts .....		16,739	
(35) Farmers' Market Authority .....		202	
(36) Finance Department .....		38,613	
(37) Finance-Air Transportation .....		1,456	
(38) Finance-Alabama Build- ing Authority .....		2,345	
(39) Finance-Alabama Build- ing Finance Authority ....		1,051	
(40) Firefighters' Personnel Standards and Educa- tion Commission .....		243	
(41) Foreign Trade Relations Commission .....		121	
(42) Department of Forensic Sciences .....		9,744	
(43) Forestry Commission ....		35,783	
(44) Funeral Services .....		121	
(45) Geological Survey .....		4,326	
(46) Governor's Office .....		1,536	
(47) Department of Public Health .....		159,467	
(48) State Health Planning Agency .....		1,496	
(49) Board of Heating and Air Conditioning Contractors .....		162	
(50) Highway Department ....		339,797	
(51) Alabama Historical Commission .....		4,609	

JOURNAL OF THE SENATE, 1987  
25th Day

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(52) Housing Finance Authority .....		40	
(53) Department of Human Resources .....		311,777	
(54) Alabama Indian Affairs Commission .....		202	
(55) Department of Industrial Relations .....		147,458	
(56) Insurance Department ...		4,448	
(57) State Employees' Insur- ance Board .....		81	
(58) Judicial Inquiry Commission .....		40	
(59) Department of Labor ....		809	
(60) Legislative Reference Service .....		485	
(61) Liquefied Petroleum Gas Board .....		526	
(62) Manufactured Housing Commission .....		323	
(63) Alabama Medicaid Agency .....		23,168	
(64) Department of Mental Health and Mental Retardation .....		401,700	
(65) Military Department ....		14,515	
(66) Board of Nursing .....		1,253	
(67) Board of Examiners of Nursing Home Administrators .....		40	
(68) Oil and Gas Board .....		4,529	
(69) Pardons and Paroles ....		21,995	
(70) Peace Officers' Annuity and Benefit Fund .....		202	
(71) Peace Officers' Standards and Training Commission .....		526	
(72) Physical Fitness Commission .....		485	
(73) Board of Physical Therapy .....		81	
(74) Board of Polygraph Examiners .....		81	
(75) Public Library Service ...		4,812	



**REGULAR SESSION  
25th Day**

1563

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(76) Department of Public Safety .....		96,432	
(77) Public Service Commission .....		10,553	
(78) Alabama Educational Television Commission .....		7,197	
(79) Real Estate Commission .....		1,577	
(80) Retirement Systems .....		9,380	
(81) Department of Revenue .....		95,543	
(82) Secretary of State .....		2,143	
(83) Securities Commission ...		1,779	
(84) Board of Social Work Examiners .....		81	
(85) Soil and Water Conservation .....		283	
(86) Surface Mining Commission .....		4,488	
(87) Board of Tourism and Travel .....		6,550	
(88) State Treasurer .....		3,841	
(89) Department of Veterans' Affairs .....		5,337	
(90) Department of Youth Services .....		31,659	
Total State Personnel Department .....		2,498,608	2,498,608
<hr/>			
90. PHYSICAL THERAPY, BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program .....			69,643
SOURCE OF FUNDS:			
(1) Physical Therapy Fund ...		69,643	
As provided in Section 34- 24-195, <u>Code of Alabama</u> <u>1975.</u>			
Total Board of Physical Therapy .....		69,643	69,643

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
91.	POLYGRAPH EXAMINERS, BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program .....			30,000
	SOURCE OF FUNDS:			
	(1) Board of Polygraph Ex- aminers Fund .....		30,000	
	As provided in Section 34- 25-5, <u>Code of Alabama</u> 1975.			
	Total Board of Polygraph Examiners .....		30,000	30,000
92.	PROSECUTION SERVICES, OFFICE OF:			
	(a) Prosecution, Training, Educa- tion and Management Program .....			570,747
	(b) Court Operations Program ....			339,688
	Of the above appropriation for the Court Operations Pro- gram, \$314,688 shall be distrib- uted on a formula to be determined by the Executive Committee of the Alabama District Attorneys Association and in addition to any other appropriation provided for \$15,000 shall be distributed to the District Attorney's Office of the 9th Judicial Circuit and \$10,000 shall be distributed to the District Attorney's Office of the 38th Judicial Circuit.			
	SOURCE OF FUNDS:			
	(1) State General Fund .....	339,688		
	(2) Office of Prosecution Serv- ices Fund .....		570,747	
	Total Office of Prosecution Services .....	339,688	570,747	910,435
93.	PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:			
	(a) Professional and Occupational Licensing and Regulation Program .....			39,450
	SOURCE OF FUNDS:			
	(1) Board of Examiners in Psychology Fund .....		39,450	

**REGULAR SESSION  
25th Day**

1565

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 34-26-43, <u>Code of Alabama</u> 1975, as amended.				
Total Alabama Board of Examiners in Psychology .....			39,450	39,450
94.	PUBLIC SAFETY, DEPARTMENT OF:			
(a)	Traffic Control and Accident Prevention Program .....			21,648,800
(b)	Criminal Investigation Program .....			4,113,844
(c)	Driver's Licensing and Improvement Program .....			9,230,197
(d)	Public Safety Support Services Program .....			5,661,909
(e)	Administrative Services Program .....			2,848,844
(f)	Alabama Criminal Justice Training Center Program .....			1,429,406
SOURCE OF FUNDS:				
(1)	State General Fund .....	44,933,000		
Total Department of Public Safety .....		44,933,000		44,933,000
95.	PUBLIC SERVICE COMMISSION:			
(a)	Regulatory Services Program .....			5,473,101
(b)	Administrative Services Program .....			1,842,134
SOURCE OF FUNDS:				
(1)	Public Service Commission Fund .....		6,665,235	
The above appropriation to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by				

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$600,000 shall be transferred to the State General Fund.				
(2)	Gas Pipeline Safety Fund		390,000	
(3)	Federal and Miscellaneous Funds .....		260,000	
Total Public Service Commission .....			7,315,235	7,315,235
96. REAL ESTATE COMMISSION, ALABAMA:				
(a)	Professional and Occupational Licensing and Regulation Program .....			1,120,119
SOURCE OF FUNDS:				
(1)	Alabama Real Estate Commission Fund .....		1,120,119	
As provided in Section 34-27-4, <u>Code of Alabama 1975</u> , as amended and the total expenditures shall in no manner exceed the amounts hereby appropriated.				
Total Alabama Real Estate Commission .....			1,120,119	1,120,119
97. REVENUE, DEPARTMENT OF:				
(a)	State Revenue Administration Program .....			46,679,290
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	250,000		
As provided in Section 40-7-70, <u>Code of Alabama 1975</u> , to maintain a program for the equalization of ad valorem tax assessments.				

**REGULAR SESSION  
25th Day**

1567

	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
(2) State General Fund - Transfer - Boards of Equalization .....	124,442		
(3) Transfers from the pro- ceeds of the following:			
(a) Cigarette Tax Collections As provided in Section 40- 25-2 and Section 40-25-23, <u>Code of Alabama 1975, as amended.</u>		845,405	
(b) Financial Institution Ex- cise Tax Collections .....		219,104	
(c) Forest Severance Tax Collections .....		80,694	
(d) Gasoline Tax Collections		3,836,244	
(e) Income Tax Collections ...		13,019,399	
(f) Motor Fuel Tax Collections .....		799,538	
(g) Motor Vehicle License Collections .....		1,733,613	
(h) Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax .....		530,463	
(i) Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax .....		1,306,937	
(j) Sales Tax Collections .....		11,485,670	
(k) Tobacco Tax Collections		34,595	
(l) Use Tax Collections .....		1,256,966	
(m) Utility Tax Collections ... As provided in Section 40- 21-1, <u>Code of Alabama 1975.</u>		2,790,695	
(4) Local Funds .....		5,500,442	
(5) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags .....		2,365,083	
(6) Inspection fees for re- stored vehicles .....		500,000	
As provided in Section 32- 8-87 (1), <u>Code of Alabama 1975, as amended.</u>			

JOURNAL OF THE SENATE, 1987  
25th Day

Fund Sources Included  
In Appropriation Total

General Fund	Trust Fund	Appropriation Total
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The amounts hereinabove appropriated for the cost of maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions for the payment of the cost of operating said Department or collections of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

Total Department of Revenue .....	374,442	46,304,848	46,679,290
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98. SECRETARY OF STATE:

(a) Administrative Support Services Program .....			772,734
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SOURCE OF FUNDS:

(1) State General Fund .....	740,770		
(2) State General Fund - State House Rent .....	31,964		
Total Secretary of State .....	772,734		772,734

In addition to the above appropriation to the Secretary of State, there is hereby conditionally appropriated the amount of \$100,000 to be transferred from the State Banking Department, notwithstanding the provisions of Title 5, Chapter 2A, Sections 20 and 24 of the Code of Alabama 1975, and the amount of \$409,400 from Uniform Commercial Code and Farm Products Central Index System Fees, both to be conditioned upon the passage of the Uniform Commercial Code and

**REGULAR SESSION  
25th Day**

1569

Fund Sources Included  
In Appropriation Total

General Fund	Trust Fund	Appropriation Total
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Farm Products Central Index System Fee adjustment bill in the 1987 Regular Session of the Legislature, upon availability of funds in the Uniform Commercial Code and Farm Products Central Index System Fund and upon the approval of the Governor. Not more than \$15,000 of the above appropriation from the Uniform Commercial Code and Farm Products Central Index System Fund shall be expended at the discretion of the Secretary of State to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.

**99. SECURITIES COMMISSION:**

(a) Regulatory Services Program 887,631

**SOURCE OF FUNDS:**

(1) State General Fund .....	462,124		
(2) Industrial Development Bond Notification Fund ..		203,507	
(3) Sale of Checks License Fund .....		7,000	
(4) Exemption Fund .....		215,000	
<b>Total Securities Commission</b>	<b>462,124</b>	<b>425,507</b>	<b>887,631</b>

**100. SENIOR CITIZENS HALL OF FAME, ALABAMA:**

(a) Historical Resources Management Program ..... 22,681

To be expended in accordance with Section 41-9-740 et seq., Code of Alabama 1975, as amended.

**SOURCE OF FUNDS:**

(1) State General Fund .....	22,681		
<b>Total Alabama Senior Citizens Hall of Fame .....</b>	<b>22,681</b>		<b>22,681</b>

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
101.	SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program .....			46,714
	SOURCE OF FUNDS:			
	(1) Alabama State Board of Social Work Examiners Fund .....		46,714	
	As provided in Section 34- 30-6, <u>Code of Alabama</u> <u>1975</u> , as amended.			
	Total Alabama State Board of Social Work Examiners .....		46,714	46,714
102.	SOIL AND WATER CONSERVATION COMMITTEE, STATE:			
	(a) Water Resource Development Program .....			998,197
	(b) Professional and Occupational Licensing and Regulation Program .....			3,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	978,197		
	(2) Soil Classifiers Fund .....		3,000	
	As provided in Section 34- 32-19, <u>Code of Alabama</u> <u>1975</u> , as amended.			
	(3) Transfer from Agricultural and Conservation Devel- opment Commission .....		20,000	
	Total State Soil and Water Conservation Committee .....	978,197	23,000	1,001,197
103.	SOUTHERN GROWTH POLICIES BOARD:			
	(a) Special Services Program .....			27,830
	SOURCE OF FUNDS:			
	(1) State General Fund .....	27,830		
	Total Southern Growth Poli- cies Board .....	27,830		27,830
104.	SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:			
	(a) Tourism and Travel Promo- tion Program .....			95,000



**REGULAR SESSION  
25th Day**

1571

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund .....	95,000			
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Total Alabama Space Science Exhibit Commission .....	95,000			95,000
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105. SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:				
(a) Professional and Occupational Licensing and Regulation Program .....				24,820
SOURCE OF FUNDS:				
(1) Alabama Board of Exam- iners for Speech Pathology and Audiology Fund .....			24,820	
As provided in Section 34- 28A-44, <u>Code of Alabama</u> <u>1975.</u>				
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Total Alabama Board of Ex- aminers for Speech Pathology and Audiology .....			24,820	24,820
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106. SPORTS HALL OF FAME, ALABAMA:				
(a) Historical Resources Manage- ment Program .....				136,850
SOURCE OF FUNDS:				
(1) State General Fund .....	136,850			
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Total Alabama Sports Hall of Fame .....	136,850			136,850
<hr/>				
107. SURFACE MINING COMMISSION, ALABAMA:				
(a) Industrial Safety and Accident Prevention Program .....				3,506,277
SOURCE OF FUNDS:				
(1) State General Fund - Transfer .....	100,000			
(2) Surface Mining Commis- sion Fund .....			3,406,277	
As provided by Section 9- 16-103, <u>Code of Alabama</u> <u>1975</u> , as amended. All fees and charges, grants, gifts, fines, bond forfeitures or				

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
other monies received under the above act, in addition to the appropriation herein made, are appropriated to the Surface Mining Commission.				
Total Alabama Surface Mining Commission .....		100,000	3,406,277	3,506,277
108. TANNEHILL FURNACE AND FOUNDRY COMMISSION:				
(a)	Historical Resources Management Program .....			221,531
(b)	Capital Outlay .....			25,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	221,531		
(2)	State General Fund - Capital Outlay .....	25,000		
Total Tannehill Furnace and Foundry Commission .....		246,531		246,531
108A. TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:				
(a)	Water Resource Development Program .....			105,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	105,000		
Total Tennessee-Tombigbee Waterway Development Authority .....		105,000		105,000
109. TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:				
(a)	Promotional Development Program .....			18,044
To be expended in accordance with Sections 41-9-780 et seq., Code of Alabama 1975, as amended.				
SOURCE OF FUNDS:				
(1)	State General Fund .....	18,044		

REGULAR SESSION  
25th Day

1573

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Tennessee Valley Ex- hibit Commission of Alabama .....		18,044		18,044
110. TOURISM AND TRAVEL, BUREAU OF:				
(a)	Tourism and Travel Promo- tion Program .....			4,546,638
(b)	Grants and Benefits Program .....			420,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	1,266,638		
(2)	Lodgings Tax (\$0.01) .....		3,700,000	
	Receipts collected under the provisions of Section 40-26-1 et seq., <u>Code of Alabama 1975</u> , as amended.			
Total Bureau of Tourism and Travel .....		1,266,638	3,700,000	4,966,638
111. TREASURER, STATE:				
(a)	Fiscal Management Program .....			1,472,304
SOURCE OF FUNDS:				
(1)	State General Fund .....	1,375,935		
(2)	State General Fund - State House Rent .....	96,369		
Total State Treasurer .....		1,472,304		1,472,304
112. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:				
(a)	Special Services Program, Estimated .....			4,536
SOURCE OF FUNDS:				
(1)	State General Fund .....	4,536		
	As provided in Section 41- 9-374, <u>Code of Alabama 1975</u> .			
Total Alabama Commission on Uniform State Laws .....		4,536		4,536
113. VETERANS' AFFAIRS, DEPARTMENT OF:				
(a)	Administration of Veterans Affairs Program .....			2,689,403

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund .....		2,689,403		
Total Department of Veterans' Affairs .....		2,689,403		2,689,403
114. VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program .....				145,000
SOURCE OF FUNDS:				
(1) State Board of Veterinary Medical Examiners Fund As provided in Section 34- 29-23 and Section 34-29- 41, <u>Code of Alabama 1975</u> , as amended.			145,000	
Total Alabama State Board of Veterinary Medical Examiners .....			145,000	145,000
115. WOMEN'S COMMISSION, ALABAMA:				
(a) Employment and Social Op- portunities Program .....				9,980
SOURCE OF FUNDS:				
(1) State General Fund .....		9,980		
Total Alabama Women's Commission .....		9,980		9,980
116. WOMEN'S HALL OF FAME, ALABAMA:				
(a) Historical Resources Manage- ment Program .....				5,444
SOURCE OF FUNDS:				
(1) State General Fund .....		5,444		
Total Alabama Women's Hall of Fame .....		5,444		5,444
2D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:				
1. ADVERTISING LANDS FOR TAX SALE:				
(a) State Revenue Administration Program, Estimated .....				60,000
SOURCE OF FUNDS:				
(1) State General Fund .....		60,000		

REGULAR SESSION  
25th Day

1575

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 40-10-22, <u>Code of Alabama 1975.</u>				
Total Advertising Lands for Tax Sale .....		60,000		60,000
2.	ARREST OF ABSCONDING FELONS:			
(a)	Criminal Investigation Program, Estimated .....			65,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	65,000		
As provided in Section 15-9-3, <u>Code of Alabama 1975.</u>				
Total Arrest of Absconding Felons .....		65,000		65,000
3.	ATTORNEYS' FEES FOR REAPPORTIONMENT CASES:			
(a)	Legal Advice and Legal Services Program, Estimated .....			50,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	50,000		
Total Attorneys' Fees for Reapportionment Cases .....		50,000		50,000
4.	AUTOMATIC APPEAL EXPENSE:			
(a)	Legal Advice and Legal Services Program, Estimated .....			100
SOURCE OF FUNDS:				
(1)	State General Fund .....	100		
As provided in Section 12-22-150 and Section 12-22-241, <u>Code of Alabama 1975.</u>				
Total Automatic Appeal Expense .....		100		100
CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:				
(a)	State Revenue Administration Program, Estimated .....			200
SOURCE OF FUNDS:				
(1)	State General Fund .....	200		

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
<u>As provided in Section 40-7-45, Code of Alabama 1975.</u>				
Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals .....		200		200
6.	CONSUMER UTILITY RATE HEARING:			
	(a) Executive Direction Program			250,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer .....	250,000		
	<u>As provided in Section 37-1-18 Code of Alabama 1975, as amended.</u>			
	Total Consumer Utility Rate Hearing .....	250,000		250,000
7.	COURT COSTS NOT OTHERWISE PROVIDED FOR:			
	(a) Legal Advice and Legal Services Program, Estimated .....			1,000,000
	It is the intent of the Legislature that the above appropriation be expended for Court Costs to include costs of depositions, witness fees, filing and docket fees, court reporters, attorney fees, and other expenses ordered by the court or normally identified as costs of Court when approved by the Attorney General and Director of Finance.			
	SOURCE OF FUNDS:			
	(1) State General Fund, Estimated .....	1,000,000		
	Total Court Costs Not Otherwise Provided For .....	1,000,000		1,000,000
8.	COURT COSTS-ACT NO. 558, 1957:			
	(a) Court Operations Program, Estimated .....			500
	SOURCE OF FUNDS:			
	(1) State General Fund .....	500		

**REGULAR SESSION  
25th Day**

1577

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Pursuant to Act No. 558, 1957, page 777.				
Total Court Costs-Act No. 558, 1957 .....		500		500
9.	DISTRIBUTION OF PUBLIC DOCUMENTS:			
(a)	Administrative Support Serv- ices Program, Estimated .....			80,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	80,000		
As provided in Sections 41- 21-8 and 36-14-11, <u>Code of</u> <u>Alabama 1975.</u>				
Total Distribution of Public Documents .....		80,000		80,000
10.	STATE DOCKS TRANSFER .....			3,500,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	3,500,000		
The above appropriation to the State Docks shall be conditional upon the availability of funds and shall remain in the State General Fund until a dem- onstrated need is deter- mined and recommended by the Finance Director and approved by the Gov- ernor.				
Total State Docks Transfer ....		3,500,000		3,500,000
11.	ELECTION EXPENSES:			
(a)	Special Services Program, Estimated .....			2,000,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	2,000,000		
As provided in Section 17- 4-153, <u>Code of Alabama</u> <u>1975.</u>				
Total Election Expenses .....		2,000,000		2,000,000

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
12.	EMERGENCY FUND, DEPARTMENTAL:			
(a)	Special Services Program .....			2,000,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	2,000,000		
	This is the appropriation contemplated in Section 41-4-94, <u>Code of Alabama 1975</u> , and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office, or agency. None of the above appropriation may be transferred to the Governor's Contingency Fund.			
	Total Departmental Emergency Fund .....	2,000,000		2,000,000
13.	FEEDING OF PRISONERS:			
(a)	Institutional Services - Corrections Program, Estimated .....			3,000,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	3,000,000		
	For expenses of feeding prisoners in county jails in accordance with Section 14-6-42, <u>Code of Alabama 1975</u> .			
	Total Feeding of Prisoners .....	3,000,000		3,000,000
14.	DEPARTMENT OF FINANCE- EMPLOYEES' SUGGESTION AWARDS PROGRAM:			
(a)	Fiscal Management Program .....			10,000
	SOURCE OF FUNDS:			
(1)	State General Fund .....	10,000		
	In accordance with Section 36-1-7, <u>Code of Alabama 1975</u> , as amended.			



REGULAR SESSION  
25th Day

1579

	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
Total Department of Finance- Employees' Suggestion Awards Program .....	10,000		10,000
15. DEPARTMENT OF FINANCE- FEMA:			
(a) Readiness and Recovery Pro- gram, Estimated .....			1,866,090
Payments of the State's share of administrative costs and matching grants furnished by the Federal Emergency Man- agement Agency.			
SOURCE OF FUNDS:			
(1) State General Fund .....	1,866,090		
Total Department of Finance- FEMA .....	1,866,090		1,866,090
16. DEPARTMENT OF FINANCE:			
A. Data Systems Management Division (DSMD) and Tele- phone Revolving Fund			
(a) Administrative Support Serv- ices Program .....			2,824,370
SOURCE OF FUNDS:			
(1) State General Fund - DSMD .....	424,370		
(2) State General Fund Transfer - Telephone Re- volving Fund .....	2,400,000		
Total Data Systems Manage- ment Division (DSMD) and Telephone Revolving Fund .....	2,824,370		2,824,370
B. Alabama Building Finance Authority			
(a) Administrative Support Serv- ices Program .....			1,031,985
SOURCE OF FUNDS:			
(1) Alabama Building Finance Authority Operating Fund .....	1,031,985		
Total Alabama Building Fi- nance Authority .....	1,031,985		1,031,985

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
C.	Capitol Complex Maintenance and Repair			
(a)	Administrative Support Services Program .....			3,005,799
	SOURCE OF FUNDS:			
(1)	Capitol Complex Revolving Fund .....		3,005,799	
	Total Capitol Complex Maintenance and Repair .....		3,005,799	3,005,799
D.	Alabama Building Authority			
(a)	Administrative Support Services Program .....			1,053,941
	SOURCE OF FUNDS:			
(1)	Alabama Building Authority Operating Fund .....		1,053,941	
	Total Alabama Building Authority .....		1,053,941	1,053,941
E.	Mail and Supply Room			
(a)	Administrative Support Services Program .....			4,195,944
	SOURCE OF FUNDS:			
(1)	State Agencies - Invoiced for Postage, Supplies and Operational Expenses .....		4,195,944	
	Total Mail and Supply Room .....		4,195,944	4,195,944
F.	Motor Pool			
(a)	Administrative Services Program .....			1,811,214
	SOURCE OF FUNDS:			
(1)	Motor Pool Revolving Fund .....		1,811,214	
	Total Motor Pool .....		1,811,214	1,811,214
G.	Printing and Publications			
(a)	Administrative Support Services Program .....			4,559,024
	SOURCE OF FUNDS:			
(1)	State Agencies (Accounts Receivable Billings) .....		4,559,024	

**REGULAR SESSION  
25th Day**

1581

		Fund Sources Included In Appropriation Total	
		General Fund	Trust Fund
		Appropriation Total	
Total Printing and Publications .....		4,559,024	4,559,024
<p>The above appropriations to the Department of Finance - A. Data Systems Management and Telephone Revolving Fund; B. Alabama Building Finance Authority; C. Capitol Complex Maintenance and Repair; D. Alabama Building Authority; E. Mail and Supply Room; F. Motor Pool; and G. Printing and Publications are estimated, however, it is the intent of the legislature that no funds appropriated herein-above to any of the named revolving funds shall be expended for major capital outlay costs except with prior legislative approval.</p>			
17.	FOREST FIRE FUND, EMERGENCY:		
(a)	Forest Resources Protection Program .....		180,000
	SOURCE OF FUNDS:		
	(1) State General Fund - Transfer .....	180,000	
	As provided by Section 9-3-10.0, <u>Code of Alabama 1975.</u>		
	Total Emergency Forest Fire Fund .....	180,000	180,000
18.	GOVERNOR'S CONFERENCE, NATIONAL:		
(a)	Executive Direction Program .....		101,800
	SOURCE OF FUNDS:		
	(1) State General Fund .....	101,800	
	Total National Governor's Conference .....	101,800	101,800
19.	GOVERNOR'S COUNCILLOR:		
(a)	Executive Direction Program, Estimated .....		26,000
	SOURCE OF FUNDS:		
	(1) State General Fund .....	26,000	

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 36-13-13, <u>Code of Alabama 1975</u> as amended.				
Total Governor's Councillor ...		26,000		26,000
20.	GOVERNOR'S PROCLAMATION EXPENSES:			
(a)	Executive Direction Program, Estimated .....			250,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	250,000		
As provided in Section 17-14-21, <u>Code of Alabama 1975</u> .				
Total Governor's Proclamation Expenses .....		250,000		250,000
21.	GOVERNORS' WIDOWS RETIREMENT:			
(a)	Executive Direction Program, Estimated .....			14,400
SOURCE OF FUNDS:				
(1)	State General Fund .....	14,400		
As provided in Section 36-13-12, <u>Code of Alabama 1975</u> .				
Total Governors' Widows Retirement .....		14,400		14,400
22.	INTERPRETER'S ACCOUNT:			
(a)	Court Operations Program, Estimated .....			2,500
SOURCE OF FUNDS:				
(1)	State General Fund .....	2,500		
As provided in Sections 12-21-131 et seq., <u>Code of Alabama 1975</u> .				
Total Interpreter's Account ....		2,500		2,500
23.	LAW ENFORCEMENT FUND:			
(a)	Criminal Investigation Program .....			2,500
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	2,500		

**REGULAR SESSION  
25th Day**

1583

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 28-4-312, <u>Code of Alabama 1975.</u>				
Total Law Enforcement Fund .....		2,500		2,500
24.	LAW ENFORCEMENT LEGAL DEFENSE:			
(a)	Legal Advice and Legal Services Program, Estimated .....			3,000
SOURCE OF FUNDS:				
(1)	State General Fund .....	3,000		
To carry out provisions of Section 36-21-1, <u>Code of Alabama 1975.</u>				
Total Law Enforcement Legal Defense .....		3,000		3,000
25.	LIABILITY INSURANCE FUND, STATE .....			1,000,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer .....	1,000,000		
As provided in Section 36-1-6.1, <u>Code of Alabama 1975.</u>				
Total State Liability Insurance Fund .....		1,000,000		1,000,000
Of the above appropriation \$40,000 is hereby appropriated to the Liability Insurance Board for administrative expenses.				
26.	MAILING TAX NOTICES:			
(a)	State Revenue Administration Program, Estimated .....			100
SOURCE OF FUNDS:				
(1)	State General Fund .....	100		
As provided in Section 40-7-25, <u>Code of Alabama 1975.</u>				
Total Mailing Tax Notices .....		100		100

**JOURNAL OF THE SENATE, 1987**  
**25th Day**

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
27.	<b>MILITARY - EMERGENCY ACTIVE DUTY PAY:</b>			
	(a) Military Operations Program, Estimated .....			200,000
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	200,000		
	As provided in Section 31- 2-85, <u>Code of Alabama</u> 1975.			
	Total Military - Emergency Active Duty Pay .....	200,000		200,000
28.	<b>POLICEMAN'S SURVIVOR TUITION ACT:</b>			
	(a) Support of Other Educational Activities Program, Estimated .....			5,000
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	5,000		
	As provided in Sections 36- 21-95 through 36-21-99, <u>Code of Alabama</u> 1975.			
	Total Policeman's Survivor Tuition Act .....	5,000		5,000
29.	<b>PRESIDENTIAL ELECTORAL EXPENSE:</b>			
	(a) Administrative Support Serv- ices Program, Estimated .....			2,000
	<b>SOURCE OF FUNDS:</b>			
	(1) State General Fund .....	2,000		
	As provided in Section 17- 19-8, <u>Code of Alabama</u> 1975.			
	Total Presidential Electoral Expense .....	2,000		2,000
30.	<b>PRINTING OF CODE SUPPLEMENTS - LEGISLATIVE REFERENCE SERVICE:</b>			
	(a) Legislative Operations and Support Program, Estimated .....			500,000
	<b>SOURCE OF FUNDS</b>			
	(1) State General Fund .....	500,000		

**REGULAR SESSION  
25th Day**

1585

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 29-7-6, Code of Alabama 1975.				
Total Printing of Code Supplements - Legislative Reference Service .....		500,000		500,000
31.	PRINTING CODES AND SUPPLEMENTS - SECRETARY OF STATE:			
	(a) Administrative Support Services Program, Estimated .....			165,000
SOURCE OF FUNDS:				
	(1) State General Fund .....	165,000		
As provided in Sections 41-21-1 and 41-21-154, Code of Alabama 1975.				
Total Printing Codes and Supplements - Secretary of State		165,000		165,000
32.	PRINTING OF LEGISLATIVE ACTS AND JOURNALS:			
	(a) Administrative Support Services Program, Estimated .....			500,000
SOURCE OF FUNDS:				
	(1) State General Fund .....	500,000		
As provided in Sections 41-4-130 through 41-4-161, Code of Alabama 1975.				
Total Printing of Legislative Acts and Journals .....		500,000		500,000
33.	PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:			
	(a) State Revenue Administration Program, Estimated .....			25,000
SOURCE OF FUNDS:				
	(1) State General Fund .....	25,000		
Total Printing of State and County Privilege Licenses .....		25,000		25,000
34.	REGISTRATION OF VOTERS:			
	(a) Special Services Program, Estimated .....			1,000,000
SOURCE OF FUNDS:				
	(1) State General Fund .....	1,000,000		
In accordance with Sections 17-4-126 and 17-4-				

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
<u>153, Code of Alabama</u> <u>1975, as amended.</u>				
Total Registration of Voters ...		1,000,000		1,000,000
35. REMOVAL OF PRISONERS:				
(a) Administrative Services and Logistical Support Program, Estimated .....				300,000
SOURCE OF FUNDS:				
(1) State General Fund .....		300,000		
As provided in Sections 14- 6-7 through 14-6-10 and 36-22-22, <u>Code of Ala-</u> <u>bama 1975.</u>				
Total Removal of Prisoners ....		300,000		300,000
36. STATE GENERAL FUND, ESTIMATED .....				
				56,600,000
SOURCE OF FUNDS:				
(1) Heritage Trust Income Fund Transfer, Estimated .....			56,600,000	
All income other than in- come realized on sale of Trust Fund assets and not otherwise appropriated herein.				
Total State General Fund, Estimated .....			56,600,000	56,600,000
37. STATE TREASURER- PREVIOUS YEAR'S UNPAID WARRANTS:				
(a) Special Services Program, Estimated .....				200,000
SOURCE OF FUNDS:				
(1) State General Fund .....		200,000		
As provided in Section 41- 4-60, <u>Code of Alabama</u> <u>1975.</u>				
Total State Treasurer-Pre- vious Year's Unpaid Warrants .....		200,000		200,000



**REGULAR SESSION**  
**25th Day**

1587

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
38.	REPAYMENT-ACT 86-645, AS AMENDED, FUND NO. 305735			8,000,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	8,000,000		
	Total Repayment-Act 86-645, As Amended, Fund No. 305735 .....	8,000,000		8,000,000
2E.	DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:			
1.	General Obligation Capital Improve- ment Bonds, Series B, Estimated ...			956,500
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer .....	956,500		
	Total General Obligation Cap- ital Improvement Bonds, Se- ries B, Estimated .....	956,500		956,500
2.	General Obligation Coosa Waterway Bonds, Series A and B, Estimated ..			1,020,020
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer .....	1,020,020		
	Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated .....	1,020,020		1,020,020
3.	General Obligation Docks Facilities Bonds, Series A-C, Estimated .....			4,361,250
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer .....	4,361,250		
	Total General Obligation Docks Facilities Bonds, Series A-C, Estimated .....	4,361,250		4,361,250
4.	Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated .....			3,539,460
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer, Estimated .....	3,539,460		
	Pursuant to Constitu- tional Amendment No. 270			

JOURNAL OF THE SENATE, 1987  
25th Day

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
as provided in Act No. 248, 1967 Regular Session.				
Total Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated .....		3,539,460		3,539,460
5.	Corrections Institution Bonds, Estimated .....			1,889,500
SOURCE OF FUNDS:				
(1) State General Fund - Transfer, Estimated .....		1,889,500		
Pursuant to Constitu- tional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.				
Total Corrections Institution Bonds, Estimated .....		1,889,500		1,889,500
6.	General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated .....			66,656,522
SOURCE OF FUNDS:				
(1) State General Fund - Transfer .....		66,656,522		
Total General Obligation Cap- ital Bonds, 1982, Series A and B, and General Obligation Re- funding Bonds, 1983, Series A and B, Estimated .....		66,656,522		66,656,522
2F.	STATE EMPLOYEE BONUS (One- Time) .....			8,500,000
SOURCE OF FUNDS:				
(1) State General Fund, Estimated .....		3,000,000		
(2) Other State Trust Funds, Estimated .....			5,500,000	
Total State Employee Bonus, (One-Time) Estimated .....		3,000,000	5,500,000	8,500,000
The above appropriation shall be used to pay each person em- ployed on October 1, 1987 by the State of Alabama, except employees otherwise covered				

REGULAR SESSION  
25th Day

1589

Fund Sources Included  
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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under the provisions of Section 36-21-3 of the Code of Alabama, 1975, but including all legislative personnel, officers, and employees whether subject to the State merit system or not, a lump sum bonus based on said employees' length of employment with the State as of October 1, 1987. Said bonus shall be paid on December 4, 1987 in the following amounts: \$300 if said employee has served for a total of five years or more but less than 10 years; \$400 if said employee has served for a total of 10 years or more but less than 15 years; \$500 if said employee has served for a total of 15 years or more but less than 20 years; and \$600 if said employee has served for a total of 20 years or more. Said bonus shall be in addition to all salaries or wages and shall be in addition to any per diem allowances or expense allowance that may be in force at the time of said bonus. Said bonus shall not be considered as salary or wages and shall not be considered in computing retirement or other benefits nor shall said bonus affect any employee's position or ranking within the classified service of the State. It is the intent of the Legislature to appropriate said amounts as may be necessary to implement the State employee bonus as provided herein from such funds as the salaries of the several state employees are paid, or if there is not sufficient money in such funds, then from the General Fund or any other fund in the State Treasury not otherwise appropriated.

SECTION 3. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided

or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, as amended, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 5. In addition to appropriations herein made, all gifts, grants, contributions, entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Notwithstanding any laws to the contrary, any receipts during FY 1987-88 which exceed an amount of up to 1% of such FY state revenue receipts or up to \$50,000, whichever is greater, to any state fund or from any state revenue source that exceed the amount appropriated by this Act to any state fund, department, agency, division, board, bureau, commission, institution, or office shall be transferred to the State General Fund within thirty (30) days after September 30, 1988. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 6. Under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, any interest earned by the State thereon, together with any accruals or reversions accruing from Revenue Sharing Investments are hereby appropriated to the State General Fund.

SECTION 7. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or the trust fund from which the appropriation or appropriations were made.

SECTION 8. The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said

departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in the amounts enumerated in Section 2C, Subsection 89.

**SECTION 9.** That, if any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

**SECTION 10.** That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same hereby expressly repealed.

**SECTION 11.** That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

**SECTION 12.** That this Act shall become effective October 1, 1987.

The Standing Committee on Finance and Taxation then reported the following amendment No. 1 to the substitute for the Bill, H. B. 270, to-wit:

**AMENDMENT NO. 1 TO SUBSTITUTE FOR H. B. 270**

Amend the Substitute for House Bill 270, on Page 79, Line 28, by striking the figure "18,044" and inserting in lieu thereof the figure "68,044".

Further amend the Substitute for House Bill 270, on Page 80, Lines 5 and 7, by striking the figure "18,044" and inserting in lieu thereof the figure "68,044".

Which was adopted.

The Standing Committee on Finance and Taxation then reported the following amendment No. 2 to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT NO. 2 TO SUBSTITUTE, AS AMENDED,  
FOR H. B. 270**

Amend the Substitute, as amended, for House Bill 270, on Page 76, Line 22 by striking the figure "998,197" and inserting in lieu thereof the figure "1,049,681".

Further amend the Substitute, as amended, for House Bill 270, on Page 76, Line 27 by striking the figure "978,197" and inserting in lieu thereof the figure "1,029,681".

Further amend the Substitute, as amended, for House Bill 270, on Page 77, Line 6 by striking the figures "978,197" and "1,001,197" and inserting in lieu thereof the figures "1,029,681" and "1,052,681" respectively.

Which was adopted.

The Standing Committee on Finance and Taxation then reported the following amendment No. 3 to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT NO. 3 TO SUBSTITUTE, AS AMENDED,  
FOR H. B. 270**

Amend the Substitute, as amended, for House Bill 270, on Page 19, Lines 22, 24 and 26 by striking the figure "42,822" and inserting in lieu thereof the figure "52,822".

Further amend the Substitute, as amended, for House Bill 270, on Page 19 after line 22 by inserting the following language:

"of the above appropriation, the amount of \$10,000 shall be used to study the feasibility of creating a Bear Creek Development Authority Wildlife Refuge."

On motion of Senator Foshee, said amendment was laid on the table.

The Standing Committee on Finance and Taxation then reported the following amendment No. 4 to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT NO. 4 TO SUBSTITUTE, AS AMENDED,  
FOR H. B. 270**

Amend the Substitute, as amended, for House Bill 270, on Page 57 after Line 33 by inserting the following:

"In addition to the above appropriation to the Department of Mental Health and Mental Retardation, there is also hereby conditionally appropriated the sum of \$50,000 which shall match private donations of cash and shall be used for capital outlay purposes in the M4 catchment area; and such conditional appropriation shall be conditioned only upon the verification of the receipt of such private donations."

On motion of Senator Corbett, said amendment was laid on the table.

**RESOLUTIONS**

Senator Menton offered the following Senate Resolutions, to-wit:

S. R. 169. COMMENDING JAMES T. GREEN, JR., OF BAYOU LA BATRE, ALABAMA'S TWO-TIME STATE JUNIOR GOLF CHAMPION.

Also:

S. R. 170. COMMENDING JAMES T. GREEN OF BAYOU LA BATRE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Which were filed.

Senator Mitchem offered the following Senate Resolution, to-wit:

S. R. 171. COMMENDING E. H. BAILEY OF ALBERTVILLE, ALABAMA, FOR DISTINGUISHED SERVICE TO THE PUBLIC SCHOOLS OF ALABAMA.

Which was filed.

**FURTHER CONSIDERATION OF H. B. 270**

The Senate proceeded to further consideration of the Bill, H. B. 270. The question was on the substitute, as amended.

Senator Bailey offered the following amendment to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 270**

Amend the Substitute, as amended, for House Bill 270, on page 9, lines 8 through 10, by deleting said lines in their entirety.

Further amend the Substitute, as amended, for House Bill 270, on page 9, line 11, by deleting "(c)" and inserting in lieu thereof "(b)".

Which was adopted.

Senator Bedford offered the following amendment to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 270**

Amend the Substitute, as amended, for House Bill 270, on page 54 by deleting lines 23 through 33 in their entirety and renumbering the following subsections accordingly.

Which was adopted.

Senator Amari offered the following amendment to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 270**

Amend the Substitute, as amended, for House Bill 270, on page 9, line 7 by striking the figure "19,528,944" and substitute in lieu thereof the figure "16,618,511";

Further amend on page 9, line 12, by striking the figure "6,019,225" and substitute in lieu thereof the figure "9,990,344";

Further amend on page 9, line 17 by striking the figure "1,607,735" and substitute in lieu thereof the figure "2,668,421";

Further amend on page 9, line 20 by striking the figure "3,012,735" and substitute in lieu thereof the figure "4,073,421";

Further amend on page 9, line 20 by striking the figure "25,598,169" and substitute in lieu thereof the figure "26,658,855";

Further amend on page 9, by striking lines 28 and 29 in their entirety and substitute in lieu thereof the following:

"one-half of the state's present client slots and all of the state's future client slots for the".

Further amend the Substitute, as amended, for House Bill 270, on page 50, line 20 and on page 51, line 7 by striking the figure "10,035,931" and substitute in lieu thereof the figure "8,975,243".

Further amend on page 49, line 19 and on page 51, line 7 by striking the figure "256,238,481" and substitute in lieu thereof the figure "252,267,354".

Further amend on page 50, line 22, by striking the figure "170,513,794" and substitute in lieu thereof the figure "167,603,355";

Further amend on page 51, by striking lines 9 and 10 in their entirety and substitute in lieu thereof the following:

"Legislature that one-half of the state's present client slots but none of the future"

On motion of Senator Barron, said amendment was laid on the table.

Yeas 24; Nays 3.

Yeas:

Senators:	Campbell	Foshee	Langford	
Barron	Corbett	Goodwin	Manley	
Bedford	Covington	Hale	Menton	
Bedsole	deGraffenried	Hand	Mitchem	
Bennett	Dixon	Holmes	Preuit	
Bishop	Figures	Horn	Sanders	
Cabaniss				—24

Nays:

Senators:	Amari	Parsons	Rice	—3
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### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 557. This bill provides a supplement to the salary of each district judge in the Thirteenth Judicial Circuit.

JOHN W. PEMBERTON,  
Clerk.

### FURTHER CONSIDERATION OF H. B. 270

The Senate proceeded to further consideration of the Bill, H. B. 270. The question was on the substitute, as amended.

Senator Bennett offered the following amendment to the substitute, as amended, for the Bill, H. B. 270, to-wit:

### AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 270

Amend the Substitute, as amended, for House Bill 270, on page 55, by striking lines 5 through 19 in their entirety and by substituting in lieu thereof the following:

"79. MEDICAID AGENCY,  
ALABAMA:

(a) Medical Assistance Through Medicaid Program .....	476,840,230
--	-------------

SOURCE OF FUNDS:

(1) State General Fund - Transfer .....	101,600,000
--	-------------



**REGULAR SESSION  
25th Day**

1595

(2) Transfer from Department of Human Resources .....	1,945,674
(3) Transfer from Mental Health .....	18,109,380
(4) Federal, Local and Miscellaneous Funds .....	355,185,176
<hr/>	
Total Alabama Medicaid Agency .....	101,600,000 375,240,230 476,840,230

It is the intent of the Legislature that a portion of the above appropriation of state and federal funds be used for the Medicaid Agency's Program to expand medical coverage for expectant mothers, mothers and their babies, (also referred to as the SOBRA Program)."

Which was adopted.

Senator Bishop offered the following amendment to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 270**

Amend the Substitute, as amended, for H. B. 270, on Page 78, Lines 15 and 33 by striking out the figure "3,506,277" and inserting in lieu thereof the figure "3,656,277"

Further amend on page 78, Lines 18 and 33, by striking out the figure "100,000" and inserting in lieu thereof the figure "250,000"

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

S. 557. This bill provides a supplement to the salary of each district judge in the Thirteenth Judicial Circuit.

JIM SMITH,  
Chairperson.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 487. Relating to Dale County; providing for the chairman of the county commission; amending Section 2 and repealing Section 3 of Act No.

1955, H. 1827, Regular Session 1971 (Acts 1971, p. 3174), which provides for the chairman of such commission, so as to transfer such office and duties to the judge of probate who shall be the chairman ex officio; providing that the duties and the compensation of such chairman shall be as provided by law; providing no ballot shall contain the office of chairman of county commission separate from the judge of probate.

JOHN W. PEMBERTON,  
Clerk.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Mitchem (With Notice and Proof):

S. 696. To permit banks now or hereafter situated in Marshall County to establish, maintain and operate branch banks and branch offices within the limits of such county, except within the city limits of incorporated municipalities having a population of 5,000 or less in accord with the present or any subsequent federal decennial census and in which a bank is already established; to authorize the conduct of a general banking and trust business at such locations; and to repeal conflicting laws.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 696, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Covington (With Notice and Proof):

S. 697. Relating to Dale County; providing an additional county expense allowance for members of the county board of registrars, payable from any county funds; and providing for cumulative and retroactive effect to October 1, 1986.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 697, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Rice (With Notice and Proof):

S. 698. Relating to Lee County; authorizing the county commission to levy and collect a one-half percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing for termination of this act.

Committee on Local Legislation No. 1.

REGULAR SESSION  
25th Day

1597

I hereby certify that the notice and proof is attached to the Bill, S. B. 698, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Rice (With Notice and Proof):

S. 699. Relating to Lee County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, outside the corporate limits of Auburn and Opelika; providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; and prescribing penalties and fixing punishment for violation of this act.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 699, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Rice (With Notice and Proof):

S. 700. Relating to Lee County; authorizing the county commission to levy an additional ad valorem tax in said county to be distributed to the general fund of the county and to the three school systems; and providing for a referendum.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 700, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Rice:

S. 701. To propose an amendment to the Constitution of Alabama of 1901, relating to and authorizing the levy and collection, by the governing body of Lee County, of financial charges or assessments on property within the boundaries of any one or more fire fighting districts in Lee County, the holding of elections within such districts to approve the rate or rates and duration of such financial charges or assessments, providing that such financial charges or assessments need not be assessed in exact proportion to value, and providing for the expenditure of the proceeds from such financial charges or assessments; to fix a date for an election upon such proposed amendment; and to provide for publication of notice thereof prior to such election.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senator Rice (With Notice and Proof):

S. 702. Relating to Lee County; to authorize the county commission, subject to the referendum approval of a majority of the qualified electors of

any fire fighting district, to levy and collect charges on property within fire fighting districts of Lee County; to authorize the county commission to establish fire protection districts and enter into agreements with volunteer fire departments for fire protection services in said districts; to provide for the assessment, collection, and use of the proceeds of such charges; and to provide for a procedure of holding referendum elections in fire protection districts in order to ratify the charges herein authorized.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 702, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

On motion of Senator Preuitt, Rule 11 was suspended and he was granted permission to introduce the following Bill:

By Senator Preuitt:

S. 703. To exempt from attachment, execution, or seizure, the operation of certain bankruptcy or insolvency laws or under any legal process whatsoever, the right of a debtor to pension and retirement funds or disability and death benefits accruing under any retirement plan, employee benefit plan or certain other arrangements; and to provide that such exemption does not extend to benefits under any such plan to certain dependents of a participant.

Committee on Judiciary.

On motion of Senator Barron, Rule 11 was suspended and he was granted permission to introduce the following Bill:

By Senator Barron:

S. 704. To amend Sections 13A-11-14, 15-5-2 and 15-5-10 of the Code of Alabama 1975, relating to cruelty to animals and seizure of evidence, so as to increase the maximum sentence that may be imposed on persons convicted of cruelty to animals; and to clarify the authority of police officers to seize animals as evidence of offenses involving cruelty to animals.

Committee on Judiciary.

On motion of Senator Sanders, Rule 11 was suspended and he was granted permission to introduce the following Bill:

By Senator Sanders:

S. 705. To provide for unpaid leave of absences for new parents; to specify conditions for return from leave; and to provide for a civil action for a violation of this act.

Committee on Judiciary.

### FURTHER CONSIDERATION OF H. B. 270

The Senate proceeded to further consideration of the Bill, H. B. 270. The question was on the Bishop amendment to the substitute, as amended.

And said amendment was then adopted by the Senate.

Senator Corbett offered the following amendment No. 1 to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT NO. 1 TO SUBSTITUTE, AS AMENDED,  
FOR H. B. 270**

Amend the Substitute, as amended, for H. B. 270, on page 51, lines 18, 24 and 26 by deleting the figure "128,925" and inserting in lieu thereof the figure "135,000".

Which was adopted.

Senator Barron offered the following amendment to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED FOR H. B. 270**

Amend the Substitute, as amended, for House Bill 270, on page 55 by striking lines 31 through 34 in their entirety;

Further amend on page 56 by striking lines 5 through 9 in their entirety;

Further amend on page 56, line 10 by striking the figure "1988"

Which was adopted.

Senator Foshee offered the following amendment to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 270**

Amend the Substitute, as amended, for House Bill 270, on page 11 line 20 by striking the figure "2,472,440" and inserting in lieu thereof the figure "2,372,440".

Further amend on page 11 by deleting lines 21-26 in their entirety.

Further amend on page 11 line 29 and page 12 line 26 by striking the figure "8,044,380" and inserting in lieu thereof the figure "7,944,380".

Further amend on page 12 line 26 by striking the figure "18,529,149" and inserting in lieu thereof the figure "18,429,149".

Further amend the Substitute, as amended, for H. B. 270 on page 76 line 22 by striking the figure "1,049,681" and inserting in lieu of the figure "1,149,681".

Further amend on page 76 line 27 by striking the figure "1,029,681" and inserting in lieu thereof the figure "1,129,681".

Further amend on page 77 line 6 by striking the figures "1,029,681" and "1,052,681" and inserting in lieu thereof the figures "1,129,681" and "1,152,681" respectively.

Which was adopted.

Senator Goodwin offered the following amendment to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 270**

Amend the Substitute, as amended, for H. B. 270, on page 48, Line 8 and page 49 line 13 by striking out the figure "200,000" and inserting in lieu thereof the figure "250,000"

Further amend on page 48 after line 8 by inserting the following language:

"of the above appropriation to Historical Preservation Projects, the amount of \$50,000 shall be expended for the Iron Foundry Restoration Project."

Further amend on Page 49, Line 17 by striking out the figures "1,124,455" and "1,751,192" and inserting in lieu thereof the figures "1,149,455" and "1,776,192" respectively.

Which was adopted.

Senator Corbett offered the following amendment No. 2 to the substitute, as amended, for the Bill, H. B. 270, to-wit:

#### AMENDMENT NO. 2 TO SUBSTITUTE, AS AMENDED, FOR H. B. 270

Amend the Substitute, as amended, for H. B. 270, on Page 57, after Line 33 by inserting "In addition to the above appropriation to the Department of Mental Health and Mental Retardation, there is also hereby conditionally appropriated the sum of \$50,000 each for M-4, M-10, M-12, and M-15 catchment areas which shall match private donations of cash and shall be used for capital outlay purposes in each catchment area; such conditional appropriation shall be conditioned only upon the verification of the receipt of such private donations."

Which was lost.

Senator Bedford offered the following amendment No. 2 to the substitute, as amended, for the Bill, H. B. 270, to-wit:

#### AMENDMENT NO. 2 TO SUBSTITUTE, AS AMENDED, FOR H. B. 270

Amend the Substitute, as amended, for H. B. 270, on Page 105, Section 2G, lines 5 and 11 by deleting the figure "8,500,000" and inserting in lieu thereof the figure "9,340,800" and on lines 7 and 11 by deleting the figure "3,000,000" and inserting in lieu thereof the figure "3,840,800" and on lines 14-17 inclusive, by deleting: ~~except employees otherwise covered under the provisions of Section 36-21-3 of the Code of Alabama, 1975, but~~

On motion of Senator Horn, said amendment was laid on the table.

Yeas 16; Nays 13.

Yeas:

Senators:	Bishop	Ellis	Manley
Amari	Cabaniss	Foshee	Preuitt
Barron	deGraffenried	Hand	Smith (B)
Bedsole	Denton	Horn	Smith (J)
Bennett			

*Nays:*

Senators:	Covington	Goodwin	Langford
Bedford	Dixon	Hale	Menton
Campbell	Drinkard	Holmes	Sanders
Corbett	Figures		

—13

Senator Corbett offered the following amendment No. 3 to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT NO. 3 TO SUBSTITUTE, AS AMENDED,  
FOR H. B. 270**

Amend the Substitute, as amended, for House Bill No. 270, on Page 5, by striking out lines 13 through 24 in their entirety

On motion of Senator Bishop, said amendment was laid on the table.

**FURTHER CONSIDERATION OF S. B. 147**

The hour of 5 o'clock P.M. having arrived, the Senate proceeded to consideration of the Bill, S. B. 147. The question was on the Smith (B) amendment to the Committee substitute.

On motion of Senator Smith (B), further consideration of the Bill, S. B. 147, and pending amendment to the substitute, was postponed until 7:45 P.M.

**RESOLUTION**

Senator Amari offered the following Senate Joint Resolution, to-wit:

S. J. R. 172. **URGING THE JEFFERSON COUNTY COMMISSION TO PROVIDE OFFICE SPACE IN THE COUNTY SEAT FOR THE SHERIFF.**

WHEREAS, under the general law of the state, the county commission is charged with the duty of providing necessary county buildings; and

WHEREAS, state law mandates that the sheriff keep his office at the courthouse; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we urge the Jefferson County Commission to provide office space in the county seat of Birmingham for the Jefferson County Sheriff's Office.

On motion of Senator Amari, the Rules were suspended and the Resolution was adopted by the Senate.

**FURTHER CONSIDERATION OF H. B. 270**

The Senate proceeded to further consideration of the Bill, H. B. 270. The question was on the substitute, as amended.

Senator Corbett offered the following amendment No. 4 to the substitute, as amended, for the Bill, H. B. 270, to-wit:

**AMENDMENT NO. 4 TO SUBSTITUTE, AS AMENDED,  
FOR H. B. 270**

Amend the Substitute, as amended, for House Bill No. 270 on Page 5, lines 15, 17 and 19 by striking the figure "400,000" and insert in lieu thereof the figure "450,000"

On motion of Senator Horn, said amendment was laid on the table.

### POINT OF PERSONAL PRIVILEGE

Senator Corbett requested that the following statement be read and spread upon the Journal:

Mr. President,

I request that this statement and the attached information be spread upon the Journal.

I feel strongly that we have a responsibility to the taxpayers and citizens of this state to know what we are voting for and what we are funding. H. B. 270, the 1987-1988 General Fund Budget is vague in a number of areas that need our attention. The funding for the Lt. Governor's office is particularly mysterious in that no one can assure us that the appropriation is adequate nor if it is inflated in order to hire political supporters of the Lt. Governor.

Attached is the only information available to us about funding of the Lt. Governor's Office.

I find it hard to believe that Lt. Gov. Jim Folsom would promote such a bill with so little information.

I respectfully submit this information to the body of the Senate and ask that it be spread upon the Journal this 9th day of July, 1987.

### ATTACHMENT

RE: Lt. Gov. Office

This is all Victor has, but does not include all costs. The comptroller's office is closed and he is unable to get additional information on the number of employees by statute.

		1984-85	1985-86	1986-87 thru 4-30-87
personnel	Salary director & Asst	89,134.00	90,936.00	71,160.20
	Salary line supervisor	74,240.40	77,952.00	27,432.00
	Termination costs			7,271.60
benefits	FICA	10,633.73	11,094.70	6,752.42
	retirement	12,400.12	11,062.09	7,000.18
	Health Insurance	6,025.00	6,400.00	4,250.00
In-state Travel	mileage	507.22	773.08	49.94
	subsistence & lodging	2,495.00	2,220.00	960.00
	sub. & lodging not o/n	65.00	50.00	
out-of-state Travel	commercial transport.	7,052.00	270.00	
	subsistence & lodging	4,374.63	1,091.32	
	conference regis.	350.00	695.00	145.00
	other	1,146.65	47.44	



**REGULAR SESSION  
25th Day**

1603

Repairs & Maintenance	furniture & off. equip duplicating equip.	4,032.00 10.50	5,482.90 21.00	1,237.50
rentals & leases	automotive	254.60	195.89	62.89
Utilities	telephone postage	2,276.28 1,773.37	2,991.62 1,845.21	1,236.76 621.72
professional services	insurance & bonding newspaper clip service other	11.00 802.25	1,714.20	1,221.75 32.50
Supplies	office operation printing & binding association dues subscriptions relocation costs	1,208.42 722.76 350.00 532.19	1,866.48 1,457.91 350.00 602.82 606.50	2,977.19 438.00  568.68
Transportation Equipment Operations	petroleum products tires repairs	1,045.45	683.13 180.56 145.58	159.99
Other Equipment	office custodial maintenance	1,803.70	5,328.56 528.90	8,862.10
<b>TOTAL</b>		<b>223,246.27</b>	<b>226,592.89</b>	<b>142,440.42</b>

**FURTHER CONSIDERATION OF H. B. 270**

The Senate proceeded to further consideration of the Bill, H. B. 270. The question was on the substitute, as amended.

And said substitute, as thus amended, was adopted by the Senate.

Yeas 30; Nays 1.

*Yeas:*

Senators:	Cabaniss	Figures	Menton	
Amari	Campbell	Foshee	Mitchem	
Bailey	Covington	Goodwin	Parsons	
Barron	deGraffenried	Hale	Preuitt	
Bedford	Denton	Hand	Rice	
Bedsole	Dixon	Holmes	Smith (B)	
Bennett	Drinkard	Horn	Smith (J)	
Bishop	Ellis	Manley		—30

*Nay:* Senator Corbett —1

And said Bill, H. B. 270, as thus amended by the substitute, as amended, was read a third time at length and passed.

Yeas 33; Nays 1.

Yeas:

Senators:	Campbell	Goodwin	Menton
Amari	Covington	Hale	Mitchem
Bailey	deGraffenried	Hand	Parsons
Barron	Denton	Hilliard	Preuitt
Bedford	Dixon	Holmes	Rice
Bedsole	Drinkard	Horn	Sanders
Bennett	Ellis	Langford	Smith (B)
Bishop	Figures	Manley	Smith (J)
Cabaniss	Foshee		

—33

Nay: Senator Corbett

—1

**REPORT FROM RULES**

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 164. REQUESTING ADVISORY OPINION OF THE SUPREME COURT.

Also:

S. R. 165. REQUESTING ADVISORY OPINION OF THE SUPREME COURT.

On motion of Senator Manley, said Resolutions were adopted by the Senate.

**BUDGET ISOLUTION RESOLUTION**

Senator Drinkard requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Drinkard, B. I. R., S. B. 587, adopted.

Yeas 31; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley
Bailey	Covington	Goodwin	Menton
Barron	deGraffenried	Hale	Mitchem
Bedford	Denton	Hand	Preuitt
Bedsole	Dixon	Hilliard	Rice
Bennett	Drinkard	Holmes	Sanders
Bishop	Ellis	Horn	Smith (B)
Cabaniss	Figures	Langford	Smith (J)

—31

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 587. To create the Alabama Mothers and Babies Indigent Care Trust Fund; to create the Alabama Mothers and Babies Indigent Care Trust Fund

REGULAR SESSION  
25th Day

1605

Board to administer said fund; to provide for the said board's composition, powers, duties and authority; to provide for funding; to provide for the creation of the Alabama Mothers and Babies Indigent Care Trust Fund in the state treasury; and to provide that monies in said fund shall not revert to the general fund but shall be carried forward into each succeeding state fiscal year.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Bailey	Covington	Hale	Mitchem	
Barron	Denton	Hand	Parsons	
Bedford	Dixon	Hilliard	Preuitt	
Bedsole	Drinkard	Holmes	Rice	
Bennett	Ellis	Horn	Sanders	
Cabaniss	Figures	Langford	Smith (B)	
Campbell	Foshee	Manley	Smith (J)	—31

*Nays:* —0

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

**S. R. 173. SPECIAL ORDER CALENDAR.**

RESOLVED BY THE SENATE That pursuant to Rule 9 of the Senate rules, the regular order of business is hereby set aside and the following bills shall be the paramount and continuing order of business taking precedence over all other matters until disposed of; further provided that standing committees may report at any time.

BILL NO.	DESCRIPTION	PAGE NO.
S. 650	Shakespeare Festival, approp.	123
S. 647	Davis Theater, approp.	123
S. 641	Sickle Cell Education Program, approp.	119
S. 645	Opportunities Industrialization Center, approp.	120
S. 648	Black Belt Human Resource Development Center, approp.	121
S. 644	Children's Hospital, approp.	120
S. 649	American Legion and Auxiliary Scholarships, approp.	121
S. 652	D.A.R. School, approp.	121
S. 619	East Alabama Child Development Center, approp.	122
S. 646	Lighthouse, Inc., approp.	122

On motion of Senator Foshee, the Resolution was adopted by the Senate.

**FURTHER CONSIDERATION OF S. B. 147**

The hour of 7:45 P.M. having arrived, the Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Smith (B) amendment to the Committee substitute.

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

S. 487. Relating to Dale County; providing for the chairman of the county commission; amending Section 2 and repealing Section 3 of Act No. 1955, H. 1827, Regular Session 1971 (Acts 1971, p. 3174), which provides for the chairman of such commission, so as to transfer such office and duties to the judge of probate who shall be the chairman ex officio; providing that the duties and the compensation of such chairman shall be as provided by law; providing no ballot shall contain the office of chairman of county commission separate from the judge of probate.

JIM SMITH,  
Chairperson.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Smith (B) amendment to the Committee substitute for the Bill, S. B. 147.

On motion of Senator Rice, said amendment was laid on the table.

Senator Corbett offered the following amendment to the substitute for the Bill, S. B. 147, to-wit:

**AMENDMENT TO SUBSTITUTE FOR S. B. 147**

Amend the substitute for S. B. 147, Page 5 Line 7, by striking out "\$20.00" after the word "to" and inserting in lieu thereof "\$1.00"

**RESOLUTION**

Senator Bishop offered the following Senate Resolution, to-wit:

S. R. 174. RECOGNIZING WITH COMMENDATION, THE 100TH ANNIVERSARY OF THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES.

Which was filed.

**FURTHER CONSIDERATION OF S. B. 147**

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Corbett amendment to the Committee substitute.

On motion of Senator deGraffenried, further consideration of the Bill, S. B. 147, and pending amendment to the Committee substitute, was postponed until thirty minutes after the Senate convenes on Tuesday, July 14, 1987.

**NOTICE IN WRITING**

Senator Foshee offered the following Notice in Writing, to-wit:

**NOTICE IN WRITING**

Notice is hereby given that on the next legislative day a motion will be made to amend the Senate Rules as follows:

Amend Senate Rules by deleting therefrom Rule 11 and Rule 35 in their entirety.

Which was read and ordered spread upon the Journal.

**MOTION TO ADJOURN LOST**

At 10:55 P.M., Senator Corbett moved that the Senate adjourn, which motion was lost.

Yeas 2; Nays 21.

Yeas:

Senators:	Corbett	Parsons	—2
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Nays:

Senators:	Campbell	Ellis	Menton
Bailey	Covington	Foshee	Mitchem
Barron	deGraffenried	Hale	Preuitt
Bedsole	Denton	Hand	Rice
Bishop	Dixon	Manley	Smith (J)
Cabaniss	Drinkard		

—21

**MOTION TO ADJOURN**

Senator deGraffenried moved that when the Senate adjourns today, it adjourn to meet again on Tuesday, July 14, 1987, at 10 o'clock A.M., which motion was adopted.

**REPORTS OF COMMITTEES RESUMED**

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, to-wit:

By Senator Hand (With Notice and Proof):

S. 658. Relating to Baldwin County; providing for a Planning and Zoning Commission for the unincorporated areas of the county; providing

for the organization, membership, functions, authority and jurisdiction of such commission; prescribing procedures for establishing planning and zoning districts in certain unincorporated areas of the county; prescribing procedures for formulating and implementing district development plans; providing that each tract or parcel of property within a planning and zoning district shall be assessed a certain development privilege fee subject to certain limitations to finance the development functions of the county planning and zoning commission; providing appellate procedures for planning and zoning; prohibiting certain regulations adopted by the commission from being retroactive and providing that this act shall have supplemental effect.

### MOTION IN WRITING

Senator Parsons offered the following Motion in Writing, to-wit:

### MOTION IN WRITING

I move that S. B. 658 be read at length as required under Section 63, Article IV, Constitution of Alabama 1901, and under Senate Rule 24.

I further request that this motion and the resolution thereof be recorded and spread upon the Journal of the Senate.

On motion of Senator deGraffenried, said Motion in Writing was laid on the table.

Yeas 16; Nays 4.

Yeas:

Senators:	deGraffenried	Foshee	Menton
Barron	Denton	Hale	Mitchem
Bedsole	Dixon	Hand	Preuitt
Cabaniss	Drinkard	Manley	Smith (J)
Campbell			

—16

Nays:

Senators:	Bennett	Corbett	Parsons
Bedford			

—4

### OBJECTION FILED

Senator Parsons filed the following objection, to-wit:

### OBJECTION TO FAILURE TO READ S. B. 658 AT LENGTH

Objection is hereby made to the failure of the President to require the reading at length of S. B. 658, said request was made prior to the acceptance of the Committee Report and said reading was required under Section 63, Article IV, Constitution of Alabama 1901.

Further, as a point of personal privilege, let this objection be spread across the Journal of the Senate this 9th day of July.

And said Bill, S. B. 658, was read a second time and placed on the calendar.

### REPORTS OF COMMITTEES RESUMED

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on

**REGULAR SESSION**  
**25th Day**

1609

the following bill and ordered same returned to the Senate with a favorable report, to-wit:

By Senators Campbell and Hale (With Notice and Proof):

S. 687. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

**MOTION IN WRITING**

Senator Parsons offered the following Motion in Writing, to-wit:

**MOTION IN WRITING**

I move that S. B. 687 be read at length as required under Section 63, Article IV, Constitution of Alabama 1901, and under Senate Rule 24.

I further request that this motion and the resolution thereof be recorded and spread upon the Journal of the Senate.

On motion of Senator deGraffenried, said Motion in Writing was laid on the table.

Yeas 15; Nays 3.

Abstaining 1.

*Yeas:*

Senators:	Covington	Hale	Menton	
Bedsole	deGraffenried	Hand	Mitchem	
Cabaniss	Denton	Horn	Preuitt	
Campbell	Foshee	Manley	Smith (J)	—15

*Nays:*

Senators:	Corbett	Rice	Parsons	—3
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*Abstaining:* Senator Amari —1

And said Bill, S. B. 687, was read a second time and placed on the calendar.

**CONSENT CALENDAR**

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Senator Hand:

S. 264. To amend section 9-3-10.1, Code of Alabama 1975, which provides for the emergency forest fire fund, so as to change the name to the emergency forest fire, insects and disease fund and to increase the ceiling on the appropriation to the fund.

By Senator Langford:

S. 276. To amend Section 11-45-8, Code of Alabama 1975, to include other like codes with those codes listed which may be adopted by ordinance and by reference under the authority and procedures of said section.

By Senator Smith (J):

S. 72. To amend Section 12-17-61, Code of Alabama 1975, which provides for the number of district court judges, so as to provide three district court judges for Madison County; to provide for the time of establishment of such judgeship No. 3; and to provide for the election of such additional district judge.

By Senator Sanders:

S. 250. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended; providing that no law whose purpose or effect is to provide for a new or increased expenditure of county funds held or disbursed by the county governing body shall become effective as to any county of this state until the first day of the fiscal year next following the passage of such law unless such law is approved by a resolution duly adopted by and spread upon the minutes of the county governing body of the county affected thereby, or such law (or other law or laws which specifically refer to such law) provides the respective county governing bodies with new or additional revenues sufficient to fund such new or increased expenditures; providing for an election thereon; and prescribing an effective date for the proposed amendment.

By Senator Bedsole:

S. 46. To establish an official state nongame wildlife print or wildlife stamp; to provide for funding of the program establishing the print or stamp and to provide that the program shall be administered by the Department of Conservation and Natural Resources.

By Rep. Junkins:

H. 413. To amend Section 32-8-61 Code of Alabama 1975 in order to provide that delivery to the Department of Revenue of the existing certificate of title, an application for a certificate of title and the required fee shall be made within twenty days in order for the security interest to be perfected as of the time of its creation.

By Senators Ellis, Covington, Smith (B), Bedsole, Smith (J), Hand, Parsons, and Manley:

S. 113. To amend §13A-4-3, Code of Alabama 1975, to upgrade the penalty provisions for criminal conspiracy.

## REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:



**REGULAR SESSION  
25th Day**

1611

S. B. 241

S. B. 497

S. B. 354

S. B. 534

S. B. 449

S. B. 552

Delivered to the Governor July 9, 1987, at 9:20 A.M.

S. B. 321

S. B. 597

Delivered to the Secretary of State July 9, 1987, at 9:25 A.M.

S. B. 557

Delivered to the Governor July 9, 1987, at 4:30 P.M.

S. B. 487

Delivered to the Governor July 9, 1987, at 9:50 P.M.

**McDOWELL LEE,**  
Secretary of Senate.

**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 11:25 P.M., on motion of Senator deGraffenried, in accordance with Motion heretofore adopted, and pending further consideration of the Bills on the Special Order Resolution, S. R. 173, the Senate adjourned until Tuesday, July 14, 1987, at 10 o'clock A.M.

## **TWENTY-SIXTH LEGISLATIVE DAY**

**TUESDAY, JULY 14, 1987**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend E. D. Helton, Jr., Pastor, Dalraida Baptist Church, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Walter McQueen, Carver Junior High School, Montgomery, Alabama.

### **ROLL CALL**

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

—35

### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JIM SMITH,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Smith (J), the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fifth Legislative Day was approved by the Senate.

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

**S. R. 175. MEETING DAYS.**

BE IT RESOLVED BY THE SENATE OF ALABAMA, That when the Senate adjourns today, Tuesday, July 14, 1987, it adjourn to meet again on Wednesday, July 15, 1987, at 12:01 a.m. and when the Senate adjourns on Wednesday, July 15, 1987, it adjourn to meet again on Thursday, July 16, 1987 at 12:01 a.m. and when the Senate adjourns on Thursday, July 16, 1987, it adjourn to meet on Friday, July 17, 1987 at 12:01 a.m.

Senator Manley offered the following substitute for the Resolution, S. R. 175, to-wit:

**SUBSTITUTE FOR S. R. 175**

RESOLVED that when the Senate adjourns today it adjourns to meet again at 12:00 Noon on July 15, 1987.

On motion of Senator Smith (J), the substitute was laid on the table.

Yeas 20; Nays 12.

*Yeas:*

Senators:	Cabaniss	Drinkard	Menton
Amari	Campbell	Foshee	Parsons
Bailey	Corbett	Goodwin	Sanders
Barron	deGraffenried	Hale	Smith (B)
Bedford	Denton	Langford	Smith (J)
Bennett			

—20

*Nays:*

Senators:	Dixon	Hand	Mitchem
Bedsole	Ellis	Holmes	Preuitt
Covington	Figures	Manley	Rice
Dial			

—12

On motion of Senator Smith (J), said Resolution was then adopted by the Senate.

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

**S. R. 176. SPECIAL ORDER CALENDAR.**

RESOLVED BY THE SENATE That pursuant to Rule 9 of the Senate rules, the regular order of business is hereby set aside and the following bills shall be the paramount and continuing order of business taking precedence over all other matters including Senate Resolution 173, until disposed of: provided, however, that House Messages and Committee reports may be received at any time.

## Uncontested local bills

## Consent Calendar

BILL NO.	DESCRIPTION	PAGE NO.
H. 319	City and co. school bds., auth. to levy taxes, referendum, consti. amend.	76
H. 318	City and co. bds of ed., referendum on levying addl. taxes.	75
H. 320	Bd. of ed., st., adopt min. standards for student achievement.	75

Senator Hand moved that further consideration of the Resolution, S. R. 176, be postponed subject to the call of the Chair.

On motion of Senator Smith (J), the motion to postpone was laid on the table.

Yeas 19; Nays 11.

## Yeas:

Senators:	Bennett	deGraffenried	Langford
Amari	Cabaniss	Denton	Menton
Bailey	Campbell	Drinkard	Parsons
Barron	Corbett	Foshee	Smith (B)
Bedford	Covington	Goodwin	Smith (J)
			—19

## Nays:

Senators:	Dixon	Hale	Manley
Bedsole	Ellis	Hand	Mitchem
Dial	Figures	Holmes	Preuitt
			—11

Senator Manley offered the following substitute for the Resolution, S. R. 176, to-wit:

**SUBSTITUTE FOR S. R. 176****S. R. 176. SPECIAL ORDER CALENDAR.**

**RESOLVED BY THE SENATE** That pursuant to Rule 9 of the Senate rules, the regular order of business is hereby set aside and the following bills shall be the paramount and continuing order of business taking precedence over all other matters until disposed of:

## House Messages

## All Local Bills

BILL NO.	DESCRIPTION	PAGE NO.
S. 619	East Alabama Child Development Center, approp.	5
S. 641	Sickle Cell Education Program, approp.	2
S. 644	Children's Hospital, approp.	3
S. 645	Opportunities Industrialization Center, approp.	3

REGULAR SESSION  
26th Day

1615

S. 646	Lighthouse, Inc., approp.	5
S. 647	Davis Theater, approp.	2
S. 648	Black Belt Human Resource Development Center, approp.	3
S. 649	American Legion and Auxiliary Scholarships, approp.	4
S. 650	Shakespeare Festival, approp.	1
S. 651	Coalition Against Domestic Violence, approp.	131
S. 652	D.A.R. School, approp.	4
S. 669	Alabama Academic Libraries, appropriation to Alabama Commission on Higher Education from Special Educational Trust for fiscal year ending Sept. 30, 1988 for	140
S. 670	Student Grant Program, approp. for, to Ala. Commission on Higher Education from Special Educational Trust Fund for fiscal year ending 1988	140
S. 671	Special Education Schools, approp. from Special Educational Trust Fund for fiscal year ending Sept. 10, 1988	140
S. 672	Eye Injury Register, approp. from Special Education Trust Fund for fiscal year ending 1988	141
S. 673	Camp ASCCA, approp. from Special Educational Trust Fund for fiscal year ending 1988	141
S. 674	Ala. Outdoor Drama, approp. from Special Educational Trust Fund for fiscal year ending 1988	142
S. 675	Emergency Medical Services Programs, approp. from Special Educational Trust Fund for fiscal year ending 1988	142
S. 676	Ala. League for Advancement of Ed., approp. from Special Educational Trust Fund for fiscal year ending 1988	142
S. 678	Credit Union Administration Fund, supplemental appropriation to Credit Union Administration	143
S. 680	United Cerebral Palsy of Ala and United Cerebral Palsy Development Center for East Alabama, appropriation from Special Educational Trust Fund for	139
S. 682	Ala. Small Business Development Consortium and Ala. Small Business Procurement System, approp. from Special Educational Trust Fund for fiscal year 1987-88	143

CONSENT CALENDAR

Senator Smith (J) moved that said substitute be postponed subject to the call of the Chair.

Senator Manley moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 13; Nays 19.

*Yeas:*

Senators:	Dixon	Horn	Parsons
Bedsole	Ellis	Manley	Preuitt
Covington	Hand	Mitchem	Rice
Dial	Holmes		

—13

*Nays:*

Senators:	Bennett	Denton	Langford
Amari	Cabaniss	Drinkard	Menton
Bailey	Campbell	Foshee	Sanders
Barron	Corbett	Goodwin	Smith (B)
Bedford	deGraffenried	Hale	Smith (J)

—19

The question recurred on the motion of Senator Smith (J) that the Resolution, S. R. 176, and pending substitute, be postponed subject to the call of the Chair, which motion was adopted.

### POINT OF PERSONAL PRIVILEGE

Senator Manley requested that the Journal reflect that the Senate is taking up an issue that in his opinion requires unanimous consent, due to the fact that it is now 11:04 A.M., rather than 30 minutes after the Senate convened, which should have been 10:30 A.M.

The Chair ruled that due to unforeseen circumstances, the Senate convened at 10:34 A.M. by unanimous consent; therefore, 11:04 A.M. is the appropriate time to bring up the Bill, S. B. 147.

### FURTHER CONSIDERATION OF S. B. 147

The Senate proceeded to further consideration of the Bill, S. B. 147. The question was on the Corbett amendment to the Committee substitute.

On motion of Senator Corbett his amendment was laid on the table.

Yeas 23; Nays 7.

*Yeas:*

Senators:	Cabaniss	Ellis	Menton
Amari	Campbell	Figures	Mitchem
Barron	Corbett	Foshee	Parsons
Bedford	deGraffenried	Goodwin	Rice
Bedsole	Denton	Holmes	Sanders
Bennett	Drinkard	Langford	Smith (J)

—23

*Nays:*

Senators:	Covington	Hand	Preuitt
Bailey	Dixon	Manley	Smith (B)

—7

And said substitute was then adopted.

**REGULAR SESSION**  
**26th Day**

1617

Yeas 18; Nays 13.

*Yeas:*

Senators:	Denton	Foshee	Menton	
Bedsole	Dixon	Goodwin	Parsons	
Bennett	Drinkard	Hale	Rice	
Cabaniss	Ellis	Hand	Sanders	
Campbell	Figures	Langford		—18

*Nays:*

Senators:	Bedford	Dial	Mitchem	
Amari	Corbett	Holmes	Preuitt	
Bailey	Covington	Manley	Smith (B)	
Barron	deGraffenried			—13

And said Bill, S. B. 147, as amended by the substitute, was read a third time at length and passed, and sent forthwith to the House upon engrossment.

Yeas 17; Nays 16.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Bedsole	Dixon	Hand	Parsons	
Bennett	Ellis	Hilliard	Rice	
Cabaniss	Figures	Langford	Sanders	
Campbell	Foshee			—17

*Nays:*

Senators:	Corbett	Drinkard	Mitchem	
Amari	Covington	Hale	Preuitt	
Bailey	deGraffenried	Holmes	Smith (B)	
Barron	Dial	Manley	Smith (J)	
Bedford				—16

Senator Goodwin moved that the Senate reconsider the vote by which the Bill, S. B. 147, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### FURTHER CONSIDERATION OF S. R. 176

The Senate proceeded to further consideration of the Resolution, S. R. 176. The question was on the substitute offered by Senator Manley.

Senator Dixon offered the following substitute for the Manley substitute, for the Resolution, S. R. 176, to-wit:

### SUBSTITUTE FOR SUBSTITUTE FOR S. R. 176

S. R. 176. SPECIAL ORDER CALENDAR.

**RESOLVED BY THE SENATE** That pursuant to Rule 9 of the Senate rules, the regular order of business is hereby set aside and the following bills shall be the paramount and continuing order of business taking precedence over all other matters until disposed of:

## House Messages

## All Local Bills

BILL NO.	DESCRIPTION	PAGE NO.
H. 371	Longevity pay for State employees	144
S. 619	East Alabama Child Development Center, approp.	5
S. 641	Sickle Cell Education Program, approp.	2
S. 644	Children's Hospital, approp.	3
S. 645	Opportunities Industrialization Center, approp.	3
S. 646	Lighthouse, Inc., approp.	5
S. 647	Davis Theater, approp.	2
S. 648	Black Belt Human Resource Development Center, approp.	3
S. 649	American Legion and Auxiliary Scholarships, approp.	4
S. 650	Shakespeare Festival, approp.	1
S. 651	Coalition Against Domestic Violence, approp.	131
S. 652	D.A.R. School, approp.	4
S. 669	Alabama Academic Libraries, appropriation to Alabama Commission on Higher Education from Special Educational Trust for fiscal year ending Sept. 30, 1988 for	140
S. 670	Student Grant Program, approp. for, to Ala. Commission on Higher Education from Special Educational Trust Fund for fiscal year ending 1988	140
S. 671	Special Education Schools, approp. from Special Educational Trust Fund for fiscal year ending Sept. 10, 1988	140
S. 672	Eye Injury Register, approp. from Special Education Trust Fund for fiscal year ending 1988	141
S. 673	Camp ASCCA, approp. from Special Educational Trust Fund for fiscal year ending 1988	141
S. 674	Ala. Outdoor Drama, approp. from Special Educational Trust Fund for fiscal year ending 1988	142
S. 675	Emergency Medical Services Programs, approp. from Special Educational Trust Fund for fiscal year ending 1988	142



**REGULAR SESSION  
26th Day**

1619

S. 676	Ala. League for Advancement of Ed., approp. from Special Educational Trust Fund for fiscal year ending 1988	142
S. 678	Credit Union Administration Fund, supplemental appropriation to Credit Union Administration	143
S. 680	United Cerebral Palsy of Ala and United Cerebral Palsy Development Center for East Alabama, appropriation from Special Educational Trust Fund for	139
S. 682	Ala. Small Business Development Consortium and Ala. Small Business Procurement System, approp. from Special Educational Trust Fund for fiscal year 1987-88	143

**CONSENT CALENDAR**

**RECESS**

At 11:25 A.M., on motion of Senator Dixon, the Senate took a recess subject to the call of the Chair.

The recess period having expired, at 11:45 A.M., the Senate was called to order by President Pro Tempore deGraffenried. A quorum of the Senate was present.

**FURTHER CONSIDERATION OF S. R. 176**

The Senate proceeded to consideration of the Resolution, S. R. 176. The question was on the Dixon substitute for the Manley substitute.

On motion of Senator Smith (J), said substitute was laid on the table.

Yeas 17; Nays 13.

*Yeas:*

Senators:	Campbell	Goodwin	Menton
Bedford	Corbett	Hale	Parsons
Bennett	deGraffenried	Hilliard	Sanders
Bishop	Drinkard	Langford	Smith (J)
Cabaniss	Foshee		

—17

*Nays:*

Senators:	Dial	Hand	Mitchem
Barron	Dixon	Holmes	Preuitt
Bedsole	Ellis	Manley	Rice
Covington	Figures		

—13

The question then recurred on the substitute offered by Senator Manley.

Senator Mitchem offered the following substitute for the Manley substitute for the Resolution, S. R. 176, to-wit:

**SUBSTITUTE FOR SUBSTITUTE FOR S. R. 176**

**S. R. 176. SPECIAL ORDER CALENDAR.**

**RESOLVED BY THE SENATE** That pursuant to Rule 9 of the Senate rules, the regular order of business is hereby set aside and the following bills

shall be the paramount and continuing order of business taking precedence over all other matters including Senate Resolution 173, until disposed of: provided, however, that House Messages and Committee reports may be received at any time.

Uncontested local bills

Consent Calendar

BILL NO.	DESCRIPTION	PAGE NO.
H. 371	Longevity pay—State employees	144
On motion of Senator Smith (J), said substitute was laid on the table.		
Yeas 17; Nays 13.		

*Yeas:*

Senators:	Cabaniss	Drinkard	Langford
Barron	Campbell	Foshee	Menton
Bedford	Corbett	Goodwin	Sanders
Bennett	deGraffenried	Hilliard	Smith (J)
Bishop	Denton		
			—17

*Nays:*

Senators:	Dixon	Hand	Mitchem
Bedsole	Ellis	Holmes	Preuitt
Covington	Figures	Manley	Rice
Dial	Hale		
			—13

The question again recurred on the substitute offered by Senator Manley.

On motion of Senator Smith (J), said substitute was laid on the table.

Yeas 17; Nays 12.

*Yeas:*

Senators:	Cabaniss	Drinkard	Langford
Barron	Campbell	Foshee	Menton
Bedford	Corbett	Goodwin	Sanders
Bennett	deGraffenried	Hilliard	Smith (J)
Bishop	Denton		
			—17

*Nays:*

Senators:	Dixon	Hand	Mitchem
Bedsole	Ellis	Holmes	Preuitt
Covington	Hale	Manley	Rice
Dial			
			—12

Senator Smith (J) then offered the following substitute for the Resolution, S. R. 176, to-wit:

### SUBSTITUTE FOR S. R. 176

#### S. R. 176. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE, That pursuant to Rule 9 of the Senate rules, the regular order of business is hereby set aside and the following bills

REGULAR SESSION  
26th Day

1621

shall be the paramount and continuing order of business taking precedence over all other matters including Senate Resolution 173, until disposed of: provided, however, that House Messages and Committee reports may be received at any time.

Uncontested local bills

Consent Calendar

BILL NO.	DESCRIPTION	PAGE NO.
H. 320	Bd. of ed., st., adopt min. standards for student achievement.	75
H. 319	City and co. school bds., auth. to levy taxes, referendum, consti. amend.	76
H. 318	City and co. bds of ed., referendum on levying addl. taxes.	75
H. 371	Longevity Pay-State Employees.	144

Which was adopted.

Yeas 17; Nays 12.

Yeas:

Senators:	Campbell	Foshee	Langford
Bailey	Corbett	Goodwin	Menton
Bennett	deGraffenried	Hale	Sanders
Bishop	Denton	Holmes	Smith (J)
Cabaniss	Drinkard		

—17

Nays:

Senators:	Dial	Hand	Preuitt
Bedford	Dixon	Manley	Rice
Bedsole	Ellis	Mitchem	Smith (B)
Covington			

—12

On motion of Senator Smith (J), said Resolution, as thus amended, was adopted by the Senate.

**RESOLUTION**

Senators Corbett, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

**S. J. R. 177. MOURNING THE DEATH OF ROBERT DAVID ROLLINS OF MONTGOMERY, ALABAMA.**

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the untimely death of Robert David Rollins of Montgomery, Alabama, on July 11, 1987, at the age of just 33 years; and

WHEREAS, Robert David Rollins, an eight year veteran with the Capitol Police force, was a truly dedicated law enforcement officer whose distinguished

career was marked in accomplishment, and his record of service to the State was impeccable; and

WHEREAS, a native of Pine Level, Alabama, and a graduate of Montgomery County High School, Officer Rollins was a United States Army veteran with three years of active duty service; he also attended the Police Academy in Selma and had completed training as an emergency medical technician at Trenholm State Technical College; and

WHEREAS, Officer Rollins, as a member of the Capitol Police, became a close friend of many members of the Legislature who are deeply grateful for his services in their behalf and for his many acts of friendship and kindness through the years; and

WHEREAS, not only was Robert Rollins a dedicated public employee, but also was a staunch supporter of numerous community affairs and was most particularly involved with activities of the Finley Avenue Church of Christ; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Robert David Rollins of Montgomery, Alabama, and extend our most heartfelt sympathy to his beloved wife, Mrs. Rose Rollins; sons, Kelvin and Lemuel; and to other family members, whose deep sorrow we sincerely share and for whom a copy of this resolution shall be provided.

On motion of Senator Corbett, the Rules were suspended and the Resolution was adopted by the Senate.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Drinkard (With Notice and Proof):

S. 706. To fix the fee for the issuance of pistol permits in Etowah County; to provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund; to provide for the use of such fund; and to provide that this act shall be retroactive to January 19, 1987.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 706, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Drinkard (With Notice and Proof):

S. 707. Relating to Etowah County; providing for the distribution of fire protection net tax revenues generated pursuant to Amendment No. 445, Amendment of Amendment 432, which authorized the levy of such tax and the distribution to volunteer fire departments for such protection and services, so as to provide for the manner of such distribution together with any earned interest thereon.

Committee on Local Legislation No. 1.

REGULAR SESSION  
26th Day

1623

I hereby certify that the notice and proof is attached to the Bill, S. B. 707, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

On motion of Senator Bedsole, Rule 11 was suspended and she was granted permission to introduce the following Bills:

By Senators Bedsole and Bennett:

S. 708. To provide that any law enforcement officer acting in good faith and exercising due care in the making of an arrest pursuant to a domestic relations disturbance shall be immune from any civil liability.

Committee on Judiciary.

By Senators Bedsole and Bennett:

S. 709. To provide that any police training school recognized by the Peace Officers Standards and Training Commission shall establish an education and training program for law enforcement officers designed to acquaint them with domestic abuse issues.

Committee on Governmental Affairs.

By Senators Bedsole and Bennett:

S. 710. To provide that any law enforcement officer who responds to a call involving domestic abuse shall fill out and file an incident report containing required domestic abuse information.

Committee on Judiciary.

By Senators Bennett and Bedsole:

S. 711. WHEREAS, the legislature of the State of Alabama finds that:

Thousands of persons in this state are regularly beaten and abused and some are killed by their spouses or other family members;

Many pregnant women are subject to repeated beatings;

Children are often physically assaulted or witness violence against one of their parents and suffer deep and lasting emotional harm from victimization and from exposure to domestic violence;

Domestic violence is a major health and law enforcement problem in this state and one that affects people of all racial and ethnic backgrounds and all socioeconomic classes;

Domestic violence can be deterred, prevented, or reduced by legal intervention;

Tacit acceptance of domestic violence by courts and law enforcement agencies has resulted in under enforcement of criminal law when the offender and victim are related or cohabit even though criminal law does not distinguish between violence against strangers and friends or men and women;

Victims of domestic violence presently experience substantial difficulty in gaining access to police or court protection, particularly in obtaining prompt police and court response to emergencies; and

Victims of domestic violence have a right to be safe in their homes;

This act shall be liberally construed and applied to promote the following purposes;

To assure victims of domestic violence the maximum protection from abuse that the law can provide;

To create a flexible and speedy remedy to discourage violence and harassment against family members or others with whom the perpetrator has continuing contact;

To expand the ability of law enforcement officers to assist victims, to enforce the law effectively in cases of domestic violence, and to prevent further incidents of abuse;

To facilitate equal enforcement of criminal law by deterring and punishing violence against family members and others who are personally involved with the offender; and

To recognize that battering is a crime that will no longer be excused or tolerated.

And to provide for protection orders for the purpose of preventing domestic abuse; to provide for court jurisdiction and venue; to provide for court hearing for petitions for relief; to provide for the contents and the issuance of protection orders; and to provide penalties for violations of protective orders.

NOW, THEREFORE, in order to accomplish these purposes set out above:

Committee on Judiciary.

By Senators Bennett and Bedsole:

S. 712. To provide that any law enforcement officer who responds to a domestic relations disturbance shall advise any victim of such disturbance of the availability of shelter or other services in the community that can provide aid for such victim and shall further provide such victim with an immediate notice of any legal rights and remedies available.

Committee on Judiciary.

By Senator Hilliard:

S. 713. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, to make the provisions of the retirement and relief system of the City of Birmingham available to the employees of the Birmingham Airport Authority upon election of such coverage by the Birmingham Airport Authority.

Committee on Local Legislation No. 2.

On motion of Senator Foshee, Rule 11 was suspended and he was granted permission to introduce the following Bill:

By Senator Foshee:

S. 714. To amend Sections 27-40-1, 27-40-12, 27-40-15, and 27-40-17 Code of Alabama 1975, relating to insurance premium finance companies, so as to provide further for the regulation of such companies; to delete all

REGULAR SESSION  
26th Day

1625

references to designated agents; to provide for disbursement of the amount financed; to provide for time limits for the return of unearned premiums and relieves the insurer from liability therefor; provides for the payment and transmission of premiums; relieves joint and several liability; and to require insurers to be notified within 30 days of the date the premium finance company receives the signed agreement.

Committee on Business and  
Labor Relations.

On motion of Senator Bedford, Rule 11 was suspended and he was granted permission to introduce the following Bills:

By Senator Bedford:

S. 715. To further amend Section 9-17-1, Code of Alabama 1975, as amended, relating to the regulation of oil and gas so as to provide for certain definitions; and to further amend Section 9-17-33, Code of Alabama 1975, as amended, relating to the distribution of oil and gas production, so as to provide for semiannual balancing of royalty on gas produced from natural gas wells to allow for payment of royalty.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Bedford:

S. 716. To further amend Section 9-17-33, Code of Alabama 1975, as amended, which provides for disposition of proceeds derived from sale of oil or gas production, so as to provide as an additional penalty that the first purchaser of production, or operator and/or owner of the right to drill, shall be liable, following notice of default, for a reasonable attorney's fee incurred in the collection of the proceeds from production by the persons legally entitled to the proceeds from production; and to provide for an accounting to persons receiving distribution of proceeds from oil and gas wells.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Hale (With Notice and Proof):

S. 717. Relating to Madison County; amending Act No. 488, H. 706, 1978 Regular Session, which provides for the county work release program so as to provide that any person released from jail shall pay to the county a sum equal to 25% of his or her gross earnings earned while so released.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 717, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hale (With Notice and Proof):

S. 718. Relating to Madison County, Alabama; amending Act No. 488, H. 706, 1978 Regular Session, which provides for the county work release program so as to provide for a nine member commission to include the chairman of the Madison County Commission.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 718, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Smith (B) (With Notice and Proof):

S. 719. Relating to Madison County; to provide that the Probate Judge shall not receive for record or permit the recording of any instrument, conveying title or any interest in real property that does not have legibly printed, typewritten or stamped thereon the Grantee's name and latest complete address.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 719, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,  
Secretary.

On motion of Senator Horn, Rule 11 was suspended and he was granted permission to introduce the following Bills:

By Senator Horn:

S. 720. To make an appropriation from the Alabama Special Educational Trust Fund to the Dallas County Day Care and Training Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 721. To make an appropriation from the Alabama Special Educational Trust Fund to the North Talladega County Association for Retarded Citizens, Inc. for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 722. To make an appropriation from the Alabama Special Educational Trust Fund to the South Talladega County Association for Retarded Citizens, Inc. for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 723. To make an appropriation from the Alabama Special Educational Trust Fund to the Vivian B. Adams School for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 724. To make an appropriation from the Alabama Special Educational Trust Fund to the Alan Cott School for the fiscal year 1987-88, and



to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 725. To make an appropriation from the Alabama Special Educational Trust Fund to the Butler County Training School for the Mentally Retarded in Greenville for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 726. To make an appropriation from the Alabama Special Educational Trust fund to the Hope Haven School in Colbert County for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 727. To make an appropriation from the Alabama Special Educational Trust Fund to the Birmingham Training Center for Brain-Injured Children for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 728. To make an appropriation from the Alabama Special Educational Trust Fund to the Montgomery Institute of Neurological Development for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 729. To make an appropriation from the Alabama Special Educational Trust Fund to the McGraw Activity Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 730. To make an appropriation from the Alabama Special Educational Trust Fund to the Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 731. To make an appropriation from the Alabama Special Educational Trust Fund to the Calhoun County Community—"EDUCATION PAR

EXCELLENCE" for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 732. To make an appropriation from the Alabama Special Educational Trust Fund to the Geneva County Day Care and Training Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 733. To make an appropriation from the Alabama Special Educational Trust Fund to the Alice Pigman School for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 734. To make an appropriation from the Alabama Special Educational Trust Fund to the McInnis School of Montgomery for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 735. To make an appropriation from the Alabama Special Educational Trust Fund to the ECHO FOUNDATION for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Langford:

S. 736. To propose and provide for the submission of an amendment to Section 71 of the Constitution of 1901, so as to provide further for certain appropriations in the general appropriations bill.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 147. To provide further for motor vehicular operation and safety; to amend Section 32-5A-171, Code of Alabama 1975, which relates to the

maximum speed at which motor vehicles may be driven so as to increase said limit on certain roads; to provide for the marking of trucks and maximum speed limit for trucks transporting explosives, flammable liquids or hazardous wastes; to require certain front seat occupants of motor vehicles to wear safety belts; and to provide for penalties for violations.

JIM SMITH,  
Chairperson.

**BUDGET ISOLATION RESOLUTION**

Senator Hand, B. I. R., S. B. 658, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Horn	
Amari	Cabaniss	Figures	Manley	
Bailey	Campbell	Foshee	Menton	
Barron	Corbett	Goodwin	Parsons	
Bedford	Denton	Hand	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon			—25
				—0

*Nays:*

**SPECIAL ORDER**

**BILLS ON THIRD READING**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 658. Relating to Baldwin County; providing for a Planning and Zoning Commission for the unincorporated areas of the county; providing for the organization, membership, functions, authority and jurisdiction of such commission; prescribing procedures for establishing planning and zoning districts in certain unincorporated areas of the county; prescribing procedures for formulating and implementing district development plans; providing that each tract or parcel of property within a planning and zoning district shall be assessed a certain development privilege fee subject to certain limitations to finance the development functions of the county planning and zoning commission; providing appellate procedures for planning and zoning; prohibiting certain regulations adopted by the commission from being retroactive and providing that this act shall have supplemental effect.

And said Bill, S. B. 658, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Amari	Campbell	Goodwin	Mitchem	
Barron	Corbett	Hand	Parsons	
Bedford	Denton	Holmes	Preuitt	
Bedsole	Dial	Horn	Rice	
Bennett	Dixon	Manley	Sanders	
Bishop	Ellis			—25
				—0

*Nays:*

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 535, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton
Bailey	Corbett	Hale	Mitchem
Barron	Covington	Hand	Parsons
Bedford	Denton	Holmes	Preuitt
Bennett	Dial	Horn	Sanders
Bishop	Dixon	Manley	Smith (J)
Cabaniss	Ellis		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 535. Relating to Greene County; to extend the privilege or license and excise and sales tax provisions of Act No. 77-487, H. 1226 of the 1977 Regular Session (Acts 1977, p. 636) without any action of the County Governing Body or a vote of the people.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton
Amari	Campbell	Hale	Mitchem
Bailey	Corbett	Hand	Parsons
Barron	Denton	Holmes	Preuitt
Bedford	Dial	Horn	Sanders
Bedsole	Dixon	Manley	Smith (J)
Bennett	Ellis		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Campbell, B. I. R., S. B. 687, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Manley
Bailey	Covington	Goodwin	Menton
Barron	Denton	Hale	Parsons
Bedford	Dial	Hand	Preuitt
Bedsole	Dixon	Holmes	Rice
Bennett	Drinkard	Horn	Smith (B)
Bishop	Ellis		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 687. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Manley
Bailey	Covington	Goodwin	Menton
Barron	Denton	Hale	Parsons
Bedford	Dial	Hand	Preuitt
Bedsole	Dixon	Holmes	Rice
Bennett	Drinkard	Horn	Smith (B)
Bishop	Ellis		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bennett, B. I. R., H. B. 975, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	Denton	Hale	Parsons
Barron	Dial	Hand	Preuitt
Bedford	Dixon	Holmes	Rice
Bennett	Ellis	Horn	Sanders
Cabaniss	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 975. To provide for a temporary expense allowance and for a salary increase for the Elected Deputy Treasurer in the Bessemer Division of Jefferson County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Manley
Amari	Corbett	Hale	Menton
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Rice
Bedford	Dixon	Horn	Sanders
Bennett	Drinkard	Langford	Smith (J)
Cabaniss	Ellis		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Cabaniss, B. I. R., H. B. 543, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Menton
Amari	Corbett	Hale	Mitchem
Bailey	Denton	Hand	Parsons
Barron	Dial	Holmes	Preuitt
Bedford	Dixon	Horn	Rice
Bedsale	Ellis	Manley	Sanders
Bennett	Foshee		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 543. Relating to Jefferson County; to provide for funding for the Birmingham-Jefferson County Transit Authority by the City of Birmingham, Jefferson County and certain other municipalities in such county; to repeal Act No. 232 of the 1977 Regular Session of the Alabama legislature and all conflicting statutes.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Menton
Amari	Covington	Hand	Mitchem
Barron	Denton	Hilliard	Preuitt
Bedford	Dial	Holmes	Rice
Bedsale	Dixon	Horn	Sanders
Bennett	Ellis	Manley	Smith (B)
Cabaniss	Foshee		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., H. B. 737, adopted.

REGULAR SESSION  
26th Day

1633

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Manley
Bailey	deGraffenried	Hale	Menton
Bedford	Denton	Hand	Mitchem
Bedsole	Dial	Hilliard	Parsons
Bennett	Dixon	Holmes	Rice
Bishop	Drinkard	Horn	Sanders
Campbell	Foshee		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 737. Relating to Geneva County; authorizing the Geneva County Commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and distribution of the proceeds therefor; prescribing misdemeanor violations against those who contravene the provisions of this act; and repealing Act No. 85-433, H. 711 Regular Session 1985 (Acts 1985, p. 399) providing for the Geneva County Commission to levy an additional and county, privilege license and excise tax on the sale, distribution, storage, use or consumption of tobacco and certain tobacco products; the collection, enforcement and distribution of the same.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 737, to-wit:

**AMENDMENT TO H. B. 737**

Amend H. B. 737 as follows:

On page 1, line 22, in the title, delete the "and" after the word "additional"

On page 1, line 22, delete the comma after the word "county"

On page 1, line 22, insert a comma after the word "privilege"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Menton
Bailey	Corbett	Hale	Mitchem
Bedford	Covington	Hand	Preuitt
Bedsole	Denton	Holmes	Rice
Bennett	Dial	Horn	Sanders
Bishop	Dixon	Manley	Smith (J)
Cabaniss	Ellis		

—25

Nays:

—0

And said Bill, H. B. 737, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Menton
Bailey	Corbett	Hale	Mitchem
Bedford	Denton	Hand	Parsons
Bedsole	Dial	Holmes	Preuitt
Bennett	Dixon	Horn	Sanders
Bishop	Ellis	Manley	Smith (B)
Cabaniss	Figures		

—25

*Nays:*

—0

### BUDGET ISOLATION RESOLUTION

Senator Langford, B. I. R., S. B. 606, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton
Bailey	Corbett	Hale	Mitchem
Barron	Covington	Hand	Preuitt
Bedford	Denton	Hilliard	Rice
Bedsole	Dial	Holmes	Smith (B)
Bishop	Dixon	Langford	Smith (J)
Cabaniss	Ellis		

—25

*Nays:*

—0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 606. Relating to Montgomery County; providing further for the compensation of the judge of probate.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton
Amari	Campbell	Hale	Parsons
Bailey	Corbett	Hand	Preuitt
Barron	Denton	Hilliard	Rice
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon	Langford	Smith (B)
Bishop	Ellis		

—25

*Nays:*

—0

### BILL RE-REFERRED

Senator Foshee, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on



**REGULAR SESSION  
26th Day**

1635

the following Bill, H. B. 581, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 581, re-referred to the Standing Committee on Banking and Insurance.

**BUDGET ISOLATION RESOLUTION**

Senator Denton, B. I. R., H. B. 753, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	Denton	Hale	Parsons
Barron	Dixon	Hand	Rice
Bedsole	Drinkard	Holmes	Smith (B)
Bennett	Ellis	Horn	Smith (J)
Bishop	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 753. Relating to Lauderdale County; amending Act No. 79-107, H. 171, 1979 Regular Session, which created the office of license commissioner, so as to authorize said commission to issue business licenses by mail.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	Denton	Hale	Parsons
Barron	Dixon	Hand	Rice
Bedsole	Drinkard	Holmes	Smith (B)
Bennett	Ellis	Horn	Smith (J)
Bishop	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 700, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Manley
Amari	Campbell	Foshee	Menton
Bailey	Corbett	Hale	Mitchem
Bedford	Covington	Hand	Rice
Bedsole	Dial	Holmes	Sanders
Bennett	Drinkard	Horn	Smith (J)
Bishop	Ellis		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 700. To propose a constitutional amendment for Chambers County establishing a Fire and Rescue Fund, assessing court charges from certain criminal offenders to fund said Fire and Rescue Fund, distributing the money in said fund and granting certain powers to the county commission and the legislature.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton	
Amari	Campbell	Hale	Mitchem	
Bailey	Corbett	Hand	Preuitt	
Barron	Dial	Holmes	Sanders	
Bedford	Drinkard	Horn	Smith (B)	
Bedsole	Ellis	Manley	Smith (J)	
Bennett	Figures			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Campbell, B. I. R., S. B. 58, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton	
Amari	Covington	Hale	Mitchem	
Barron	Denton	Hand	Parsons	
Bedford	Dial	Holmes	Rice	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis	Manley	Smith (J)	
Bishop	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 58. Relating to Morgan County; authorizing the county to pay all its employees whose compensation is provided for by local act bi-weekly instead of semi-monthly and to repeal all provisions of all local acts which conflict with this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

REGULAR SESSION  
26th Day

1637

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton
Amari	Campbell	Goodwin	Mitchem
Bailey	Denton	Hand	Preuitt
Barron	Dial	Hilliard	Rice
Bedford	Dixon	Horn	Sanders
Bedsole	Ellis	Langford	Smith (B)
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 364, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hale	Mitchem
Amari	Corbett	Hand	Parsons
Barron	Dial	Holmes	Preuitt
Bedford	Drinkard	Horn	Rice
Bedsole	Ellis	Manley	Smith (B)
Bennett	Figures	Menton	Smith (J)
Bishop	Foshee		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 364. Relating to Randolph County; authorizing the county commission to provide a certain expense allowance for the coroner to be paid from the county general fund and expiration date therefor and providing for a certain monthly salary for such coroner to be effective at the beginning of the next term of office with such salary to be in lieu of all salaries and expense allowances heretofore provided by law for such coroner.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton
Amari	Campbell	Goodwin	Parsons
Bailey	Corbett	Hand	Rice
Barron	Dial	Hilliard	Sanders
Bedford	Drinkard	Holmes	Smith (B)
Bennett	Ellis	Langford	Smith (J)
Bishop	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Menton, B. I. R., S. B. 447, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Menton	
Bailey	Denton	Hale	Parsons	
Barron	Dial	Hand	Preuitt	
Bedsole	Dixon	Holmes	Rice	
Bennett	Drinkard	Horn	Sanders	
Bishop	Ellis			—25

*Nays:* —0**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 447. Relating to Mobile County; to amend Act No. 751, S. 599, 1967 Regular Session, as amended, which provides for funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Menton	
Amari	deGraffenried	Goodwin	Parsons	
Barron	Denton	Hand	Preuitt	
Bedford	Dixon	Hilliard	Rice	
Bennett	Drinkard	Holmes	Sanders	
Bishop	Ellis	Langford	Smith (B)	
Campbell	Figures			—25

*Nays:* —0**BUDGET ISOLATION RESOLUTION**

Senator Menton, B. I. R., S. B. 448, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Amari	Denton	Hale	Parsons	
Bailey	Dial	Hand	Preuitt	
Barron	Dixon	Hilliard	Rice	
Bedford	Drinkard	Holmes	Sanders	
Bennett	Figures	Horn	Smith (B)	
Bishop	Foshee			—25

*Nays:* —0

REGULAR SESSION  
26th Day

1639

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 448. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Langford
Amari	Denton	Goodwin	Menton
Bailey	Dial	Hale	Parsons
Bedford	Dixon	Hand	Rice
Bedsole	Drinkard	Holmes	Sanders
Bishop	Ellis	Horn	Smith (B)
Campbell	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 408, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	Covington	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (J)
Bishop	Ellis		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 408. To propose an amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate of Perry County.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Amari	Campbell	Goodwin	Menton	
Bailey	Corbett	Hale	Mitchem	
Barron	Denton	Hand	Preuitt	
Bedford	Dial	Holmes	Sanders	
Bedsole	Ellis	Horn	Smith (J)	
Bennett	Figures			—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Barron, B. I. R., S. B. 419, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Manley	
Amari	Corbett	Hale	Menton	
Barron	Denton	Hand	Mitchem	
Bedsole	Dial	Hilliard	Preuitt	
Bennett	Dixon	Holmes	Rice	
Bishop	Ellis	Horn	Sanders	
Cabaniss	Foshee			—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 419. Relating to DeKalb County; to provide for an optional system of Alabama business licenses purchasing by mail; to authorize an additional fee for mailing licenses; and to provide for the disposition of such fees.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	Denton	Hale	Parsons	
Barron	Dial	Hand	Rice	
Bedsole	Dixon	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Bishop	Ellis	Manley	Smith (J)	
Campbell	Figures			—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., S. B. 506, adopted.

REGULAR SESSION  
26th Day

1641

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Preuitt
Barron	Denton	Holmes	Rice
Bedford	Dial	Horn	Smith (B)
Bennett	Dixon	Manley	Smith (J)
Bishop	Ellis		

—25

Nays: —0

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 506. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of eight aldermen to be elected from districts and a council president to be elected at large.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Mitchem
Amari	Denton	Hand	Parsons
Bailey	Dial	Holmes	Rice
Barron	Dixon	Horn	Sanders
Bedsole	Drinkard	Manley	Smith (B)
Bishop	Ellis	Menton	Smith (J)
Campbell	Figures		

—25

Nays: —0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., H. B. 50, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Menton
Bailey	Dial	Hale	Mitchem
Bedford	Dixon	Hand	Parsons
Bennett	Drinkard	Holmes	Rice
Bishop	Ellis	Horn	Smith (B)
Campbell	Figures	Manley	Smith (J)
Corbett	Foshee		

—25

Nays: —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 50. Providing the county governing body of Tallapoosa County to propose an additional four mills ad valorem tax on each dollar of taxable property, at a referendum called for the purpose of such levy, pursuant to Amendment No. 373 to the Constitution of 1901, as amended; prescribing the referendum procedure, the manner of collecting the net revenues from such additional ad valorem taxes; and providing the effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Senators:	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Mitchem	
Barron	Denton	Hale	Parsons	
Bedford	Dial	Hand	Rice	
Bennett	Dixon	Holmes	Smith (B)	
Bishop	Ellis	Manley	Smith (J)	
Cabaniss	Figures			—25

Nays: —0

On motion of Senator Rice, the Senate reconsidered the vote by which the Bill, H. B. 50, was passed.

On motion of Senator Rice, further consideration of the Bill, H. B. 50, was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., S. B. 523, adopted.

Yeas 25; Nays 0.

**Yeas:**

Senators:	Corbett	Foshee	Menton	
Amari	Covington	Hale	Mitchem	
Bailey	Denton	Hand	Preuitt	
Barron	Dial	Holmes	Rice	
Bedford	Dixon	Horn	Sanders	
Bennett	Ellis	Manley	Smith (J)	
Bishop	Figures			—25

Nays: —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 523. Relating to Madison County; repealing Act No. 882, H. 1958, 1973 Regular Session, which entitles the register of the circuit court to certain fees in court cases.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



REGULAR SESSION  
26th Day

1643

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Horn
Amari	Corbett	Goodwin	Manley
Bailey	Denton	Hale	Mitchem
Barron	Dial	Hand	Parsons
Bedsole	Dixon	Hilliard	Rice
Bennett	Drinkard	Holmes	Smith (J)
Bishop	Ellis		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Barron, B. I. R., S. B. 538, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley
Amari	Covington	Goodwin	Menton
Barron	Denton	Hale	Mitchem
Bedsole	Dial	Hand	Preuitt
Bennett	Dixon	Holmes	Rice
Bishop	Ellis	Horn	Sanders
Campbell	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 538. Relating to Jackson County; to provide for the relief of Ruby Butler, former tax assessor of Jackson County, Alabama, by the payment of certain funds due her as expenses incurred during her term as tax assessor.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Menton
Amari	Denton	Hale	Mitchem
Barron	Dial	Hand	Parsons
Bedsole	Dixon	Holmes	Rice
Bennett	Drinkard	Horn	Sanders
Bishop	Ellis	Manley	Smith (B)
Campbell	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., H. B. 551, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Amari	Dial	Hale	Parsons	
Barron	Dixon	Hand	Preuitt	
Bedsole	Drinkard	Holmes	Rice	
Bishop	Ellis	Horn	Sanders	
Cabaniss	Figures	Manley	Smith (J)	
Corbett	Foshee			—25
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 551. To allow the City of Madison in Madison County to establish historic districts.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton	
Amari	Campbell	Goodwin	Mitchem	
Bailey	Corbett	Hale	Parsons	
Barron	Denton	Hand	Rice	
Bedford	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Smith (J)	
Bennett	Ellis			—25
<i>Nays:</i>				—0

**BUDGET ISOLATION RESOLUTION**

Senator Covington, B. I. R., H. B. 562, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Menton	
Bailey	Campbell	Hale	Parsons	
Barron	Covington	Hand	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bedsole	Ellis	Holmes	Smith (B)	
Bennett	Figures			—25
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 562. To further reapportion House District 88 and House District 89 of the Alabama Legislature based upon the 1980 census.

**REGULAR SESSION  
26th Day**

1645

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton	
Amari	Covington	Hale	Parsons	
Barron	Denton	Hand	Preuitt	
Bedford	Dial	Holmes	Rice	
Bedsole	Dixon	Horn	Smith (B)	
Bennett	Ellis	Manley	Smith (J)	
Bishop	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 688, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley	
Amari	Covington	Hale	Menton	
Barron	Denton	Hand	Mitchem	
Bedford	Dial	Hilliard	Parsons	
Bennett	Dixon	Holmes	Rice	
Bishop	Drinkard	Horn	Smith (B)	
Campbell	Ellis			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 688. Relating to Escambia County; amending Act No. 84-576, H. 664, 1984 Regular Session, which establishes a trust fund for the proceeds of the oil and gas severance taxes, so as to provide further for the termination date of the trust fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Mitchem	
Amari	Covington	Hale	Parsons	
Bailey	Denton	Hand	Rice	
Bedford	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Bishop	Ellis	Manley	Smith (J)	
Campbell	Figures			—25

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 543. Relating to Jefferson County; to provide for funding for the Birmingham-Jefferson County Transit Authority by the City of Birmingham, Jefferson County and certain other municipalities in such county; to repeal Act No. 232 of the 1977 Regular Session of the Alabama legislature and all conflicting statutes.

Also:

H. 975. To provide for a temporary expense allowance and for a salary increase for the Elected Deputy Treasurer in the Bessemer Division of Jefferson County.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 689, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Manley
Amari	Campbell	Hale	Mitchem
Bailey	Corbett	Hand	Preuitt
Barron	Dial	Hilliard	Rice
Bedford	Dixon	Holmes	Smith (B)
Bedsole	Drinkard	Horn	Smith (J)
Bennett	Ellis		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 689. To fix the fee for the issuance of pistol permits in Escambia County and provide for the deposit of such fees in a fund known as the Sheriff's Pistol Permit Fund and provide for the use of such fund and an effective date.

was read a third time at length and passed.

**REGULAR SESSION  
26th Day**

1647

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Corbett</b>	<b>Foshee</b>	<b>Menton</b>	
<b>Amari</b>	<b>Covington</b>	<b>Hale</b>	<b>Mitchem</b>	
<b>Bailey</b>	<b>Denton</b>	<b>Hand</b>	<b>Parsons</b>	
<b>Barron</b>	<b>Dial</b>	<b>Holmes</b>	<b>Rice</b>	
<b>Bedsole</b>	<b>Dixon</b>	<b>Horn</b>	<b>Sanders</b>	
<b>Bishop</b>	<b>Ellis</b>	<b>Manley</b>	<b>Smith (B)</b>	
<b>Cabaniss</b>	<b>Figures</b>			—25
<i>Nays:</i>				—0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., H. B. 317, adopted.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Covington</b>	<b>Foshee</b>	<b>Mitchem</b>	
<b>Bailey</b>	<b>Denton</b>	<b>Goodwin</b>	<b>Preuitt</b>	
<b>Barron</b>	<b>Dial</b>	<b>Hale</b>	<b>Rice</b>	
<b>Bedford</b>	<b>Dixon</b>	<b>Hand</b>	<b>Sanders</b>	
<b>Bennett</b>	<b>Drinkard</b>	<b>Horn</b>	<b>Smith (B)</b>	
<b>Bishop</b>	<b>Ellis</b>	<b>Manley</b>	<b>Smith (J)</b>	
<b>Campbell</b>	<b>Figures</b>			—25
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 317. Relating to Blount County, to amend Act 85-620 of the 1985 Regular Session, so as to remove the provision that the chairman of the county commission shall be a full time position.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Corbett</b>	<b>Goodwin</b>	<b>Mitchem</b>	
<b>Amari</b>	<b>Covington</b>	<b>Hale</b>	<b>Preuitt</b>	
<b>Bailey</b>	<b>Denton</b>	<b>Hand</b>	<b>Rice</b>	
<b>Bedford</b>	<b>Dial</b>	<b>Holmes</b>	<b>Sanders</b>	
<b>Bennett</b>	<b>Dixon</b>	<b>Horn</b>	<b>Smith (B)</b>	
<b>Bishop</b>	<b>Ellis</b>	<b>Manley</b>	<b>Smith (J)</b>	
<b>Campbell</b>	<b>Foshee</b>			—25
<i>Nays:</i>				—0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., H. B. 582, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Parsons	
Bailey	Denton	Hale	Preuitt	
Bedford	Dial	Holmes	Rice	
Bedsole	Dixon	Horn	Sanders	
Bennett	Drinkard	Manley	Smith (B)	
Bishop	Ellis	Menton	Smith (J)	
Corbett	Figures			—25

Nays:				—0
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 582. To alter, re-arrange and extend the boundaries of the Town of Kinsey, in Houston County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley	
Bailey	Corbett	Hale	Menton	
Bedford	Covington	Hand	Preuitt	
Bedsole	Denton	Holmes	Rice	
Bennett	Dial	Horn	Sanders	
Bishop	Dixon	Langford	Smith (J)	
Cabaniss	Ellis			—25

Nays:				—0
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**FURTHER CONSIDERATION OF H. B. 51**

The Senate proceeded to further consideration of the Bill, H. B. 51.

H. 51. Relating to Tallapoosa County; levying an additional ad valorem tax in the county with proceeds therefrom to be deposited in the county general fund to be expended for certain fire protection purposes upon referendum approval of such levy by the qualified electors of the county and prescribing certain criteria for eligibility to receive funding from the proceeds of such additional ad valorem taxes.

And said Bill, H. B. 51 was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	Denton	Goodwin	Mitchem	
Barron	Dial	Hale	Parsons	
Bedford	Dixon	Hand	Rice	
Bennett	Drinkard	Horn	Smith (B)	
Bishop	Ellis	Manley	Smith (J)	
Campbell	Figures			—25

Nays:				—0
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**FURTHER CONSIDERATION OF H. B. 50**

The Senate proceeded to further consideration of the Bill, H. B. 50.

On motion of Senator Rice, further consideration of the Bill, H. B. 50, was postponed until the Thirtieth Legislative Day.

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., H. B. 609, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Manley
Bailey	Corbett	Foshee	Menton
Bedford	Covington	Hale	Parsons
Bedsole	Dial	Hand	Preuitt
Bennett	Dixon	Holmes	Rice
Bishop	Drinkard	Horn	Sanders
Cabaniss	Ellis		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 609. Relating to Houston County; providing a certain monthly expense allowance for the members and chairman of the county commission which shall be in lieu of all expense allowances heretofore provided by law for such members.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley
Bailey	Denton	Goodwin	Menton
Bedford	Dial	Hale	Mitchem
Bedsole	Dixon	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Bishop	Ellis	Horn	Smith (B)
Campbell	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 810, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Hale	Mitchem
Amari	Denton	Hand	Preuitt
Bailey	Dial	Holmes	Rice
Bedford	Dixon	Horn	Sanders
Bennett	Ellis	Manley	Smith (B)
Bishop	Figures	Menton	Smith (J)
Campbell	Foshee		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 810. To provide that the judge of probate of Covington County shall be compensated on a salary basis; to provide for the operation of his office after he is on a salary basis; to require the judge of probate to continue to collect the fees prescribed by law and to pay such fees into the county treasury from which his salary will be paid.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton	
Amari	Campbell	Hale	Mitchem	
Bailey	Corbett	Hand	Preuitt	
Barron	Denton	Holmes	Rice	
Bedford	Dial	Horn	Smith (B)	
Bedsole	Dixon	Manley	Smith (J)	
Bennett	Ellis			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 811, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton	
Amari	Corbett	Hale	Parsons	
Bailey	Denton	Hand	Preuitt	
Barron	Dial	Holmes	Rice	
Bedford	Dixon	Horn	Smith (B)	
Bedsole	Ellis	Manley	Smith (J)	
Bennett	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 811. Relating to Covington County; providing for an advisory referendum relative to whether the county should be placed on a unit system of public road and bridge maintenance by a county engineer.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton	
Amari	Corbett	Hale	Mitchem	
Bailey	Denton	Hand	Preuitt	
Barron	Dial	Holmes	Rice	
Bedford	Dixon	Horn	Smith (B)	
Bedsole	Drinkard	Manley	Smith (J)	
Bishop	Ellis			—25

*Nays:*

—0



REGULAR SESSION  
26th Day

1651

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 812, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Hale	Mitchem	
Amari	Denton	Hand	Parsons	
Bailey	Dial	Holmes	Rice	
Barron	Dixon	Horn	Sanders	
Bedford	Ellis	Manley	Smith (B)	
Bedsole	Figures	Menton	Smith (J)	
Bishop	Foshee			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 812. To propose an amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate and other county officers of Covington County.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton	
Amari	Corbett	Hale	Parsons	
Bailey	Covington	Hand	Rice	
Barron	Denton	Holmes	Sanders	
Bedford	Dial	Horn	Smith (B)	
Bedsole	Dixon	Manley	Smith (J)	
Bishop	Ellis			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Campbell, B. I. R., H. B. 583, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Manley	
Amari	Campbell	Foshee	Menton	
Bailey	Covington	Hale	Mitchem	
Barron	Denton	Hand	Preuitt	
Bedford	Dial	Holmes	Rice	
Bedsole	Dixon	Horn	Smith (B)	
Bennett	Ellis			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 583. Relating to Lawrence County; to provide that any municipality whose corporate limits or boundaries include lands lying outside of Lawrence County, must, in addition to all other requirements of law, obtain the consent of the Lawrence County Commission before annexation of lands lying in Lawrence County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Amari	Campbell	Goodwin	Parsons
Bailey	Covington	Hale	Preuitt
Barron	Denton	Hilliard	Rice
Bedford	Dial	Holmes	Sanders
Bedsole	Ellis	Langford	Smith (B)
Bennett	Figures		

—25

—0

Nays:

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 701, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Menton
Amari	Corbett	Goodwin	Preuitt
Bailey	Covington	Hale	Rice
Barron	Dial	Hand	Sanders
Bedsole	Drinkard	Holmes	Smith (B)
Bennett	Ellis	Horn	Smith (J)
Bishop	Figures		

—25

—0

Nays:

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 701. Relating to Chambers County; to amend Sections 1 and 2 of Act No. 1180, H. 2226, Regular Session 1971 (Acts 1971, p. 2040), relating to the issuance of pistol permits by the sheriff, so as to increase the issuance fee for pistol permits and to provide further for the disposition of such fees.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Parsons
Amari	Campbell	Hale	Preuitt
Bailey	Corbett	Holmes	Rice
Barron	Dial	Langford	Sanders
Bedford	Drinkard	Manley	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

—0

Nays:

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 741, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Manley
Amari	Corbett	Hale	Preuitt
Bailey	Dial	Hand	Rice
Barron	Drinkard	Hilliard	Sanders
Bedford	Ellis	Holmes	Smith (B)
Bedsole	Figures	Horn	Smith (J)
Bennett	Foshee		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 741. Relating to Chambers County; to create a license-issuing division within the judge of probate's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Hale	Mitchem
Amari	Cabaniss	Hand	Parsons
Bailey	Corbett	Holmes	Rice
Barron	Dial	Horn	Sanders
Bedford	Drinkard	Manley	Smith (B)
Bedsole	Ellis	Menton	Smith (J)
Bennett	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 786, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Horn
Amari	Campbell	Foshee	Manley
Bailey	Denton	Goodwin	Mitchem
Barron	Dial	Hale	Preuitt
Bedsole	Dixon	Hand	Sanders
Bennett	Drinkard	Holmes	Smith (J)
Bishop	Ellis		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 786. Relating to Sumter County; amending Section 2 of Act No. 83-480, H. 669, 1983 Regular Session (Acts 1983, p. 672), relating to levying a fee on all hazardous and nonhazardous waste deposited, or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama, so as to provide that the fee levied shall include all hazardous and nonhazardous material that is treated or buried permanently at site or that remains at the site for a reasonable length of time, and to specifically repeal Section 8 of Act No. 83-480, H. 669, 1983 Regular Session (Acts 1983, p. 672), relating to referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Horn	
Amari	Denton	Goodwin	Manley	
Bailey	Dial	Hale	Menton	
Barron	Dixon	Hand	Preuitt	
Bedford	Drinkard	Hilliard	Sanders	
Bedsole	Ellis	Holmes	Smith (J)	
Bishop	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 787, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Figures	Manley	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Hale	Mitchem	
Barron	Denton	Hand	Parsons	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (J)	
Bishop	Ellis			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 787. Relating to Sumter County; to give the county commission certain powers in regard to constructing and maintaining roads and rights-of-way leading to private dwellings.

was read a third time at length and passed.

**REGULAR SESSION  
26th Day**

1655

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Bishop</b>	<b>Foshee</b>	<b>Horn</b>
<b>Amari</b>	<b>Cabaniss</b>	<b>Goodwin</b>	<b>Menton</b>
<b>Bailey</b>	<b>Campbell</b>	<b>Hale</b>	<b>Parsons</b>
<b>Barron</b>	<b>Corbett</b>	<b>Hand</b>	<b>Preuitt</b>
<b>Bedford</b>	<b>Covington</b>	<b>Hilliard</b>	<b>Sanders</b>
<b>Bedsole</b>	<b>Dixon</b>	<b>Holmes</b>	<b>Smith (J)</b>
<b>Bennett</b>	<b>Figures</b>		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 827, adopted.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Bishop</b>	<b>Hale</b>	<b>Parsons</b>
<b>Amari</b>	<b>Dial</b>	<b>Hand</b>	<b>Preuitt</b>
<b>Bailey</b>	<b>Drinkard</b>	<b>Hilliard</b>	<b>Rice</b>
<b>Barron</b>	<b>Ellis</b>	<b>Holmes</b>	<b>Sanders</b>
<b>Bedford</b>	<b>Figures</b>	<b>Horn</b>	<b>Smith (B)</b>
<b>Bedsole</b>	<b>Foshee</b>	<b>Mitchem</b>	<b>Smith (J)</b>
<b>Bennett</b>	<b>Goodwin</b>		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 827. Relating to Cherokee County; providing for the chairman of the county commission; repealing Act No. 273, S. 349, Regular Session 1943 (Local Acts, 1943), which provides for the president of such commission, so as to replace such office and duties with the judge of probate who shall be the chairman; providing that the duties and the compensation of such chairman shall be as provided by general law; providing for advisory referendum, and for interim vacancy in office of chairman.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Bishop</b>	<b>Foshee</b>	<b>Horn</b>
<b>Amari</b>	<b>Campbell</b>	<b>Goodwin</b>	<b>Menton</b>
<b>Bailey</b>	<b>Covington</b>	<b>Hale</b>	<b>Rice</b>
<b>Barron</b>	<b>Dial</b>	<b>Hand</b>	<b>Sanders</b>
<b>Bedford</b>	<b>Drinkard</b>	<b>Hilliard</b>	<b>Smith (B)</b>
<b>Bedsole</b>	<b>Ellis</b>	<b>Holmes</b>	<b>Smith (J)</b>
<b>Bennett</b>	<b>Figures</b>		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 828, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Parsons
Amari	Cabaniss	Hale	Preuitt
Bailey	Dial	Hand	Rice
Barron	Drinkard	Hilliard	Sanders
Bedford	Ellis	Holmes	Smith (B)
Bedsole	Figures	Horn	Smith (J)
Bennett	Foshee		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 828. Relating to Cherokee County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Cherokee County; repealing conflicting laws; and prescribing the effective date of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Menton
Bedford	Covington	Hilliard	Mitchem
Bedsole	deGraffenried	Holmes	Parsons
Bennett	Dial		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 829, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Parsons
Barron	Corbett	Hand	Preuitt
Bedford	Covington	Holmes	Rice
Bedsole	Dial	Horn	Sanders
Bennett	Drinkard	Manley	Smith (B)
Bishop	Ellis	Menton	Smith (J)
Cabaniss	Figures		

—25

Nays:

—0

REGULAR SESSION  
26th Day

1657

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 829. Relating to Cherokee County; to fix the fee for the issuance of pistol permits in Cherokee County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton
Amari	Corbett	Hale	Parsons
Bailey	Covington	Hand	Pruitt
Barron	deGraffenried	Holmes	Rice
Bedsole	Dial	Horn	Smith (B)
Bishop	Drinkard	Manley	Smith (J)
Cabaniss	Ellis		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 846, adopted.

Yeas 25; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Corbett	Goodwin	Menton
Amari	Denton	Hale	Mitchem
Bailey	Dial	Hand	Parsons
Barron	Dixon	Holmes	Pruitt
Bedford	Ellis	Horn	Sanders
Bedsole	Figures	Manley	Smith (J)
Bishop	Foshee		

—25

*Nays:* —0

*Abstaining:* Senator deGraffenried —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 846. Relating to Greene County; to give the county commission certain powers in regard to constructing and maintaining roads and rights-of-way leading to private dwellings.

was read a third time at length and passed.

Yeas 25; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Corbett	Goodwin	Parsons	
Amari	Dial	Hale	Preuitt	
Bailey	Dixon	Hand	Rice	
Barron	Drinkard	Holmes	Sanders	
Bedford	Ellis	Horn	Smith (B)	
Bedsole	Figures	Menton	Smith (J)	
Bishop	Foshee			—25

*Nays:* —0*Abstaining:* Senator deGraffenried —1**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 847, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Manley	
Amari	Dial	Hale	Menton	
Barron	Dixon	Hand	Mitchem	
Bedsole	Drinkard	Hilliard	Parsons	
Bishop	Ellis	Holmes	Preuitt	
Campbell	Figures	Horn	Sanders	
Covington	Foshee			—25

*Nays:* —0**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 847. Relating to Greene County; to fix the fee for the issuance of pistol permits in Greene County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Manley	
Amari	Denton	Goodwin	Menton	
Bailey	Dial	Hale	Parsons	
Barron	Dixon	Hand	Preuitt	
Bedford	Drinkard	Holmes	Sanders	
Bedsole	Ellis	Horn	Smith (J)	
Covington	Figures			—25

*Nays:* —0



REGULAR SESSION  
26th Day

1659

RESOLUTION

Senators Foshee, Bedsole, Dial, Hand, Holmes, Manley, Dixon, and Ellis offered the following Senate Resolution, to-wit:

S. R. 178. COMMENDING LT. COL. OLIVER NORTH FOR HIS DEVOTION TO DUTY AND COUNTRY.

Which was read and referred to the Standing Committee on Rules.

BUDGET ISOLATION RESOLUTION

Senator Holmes, B. I. R., H. B. 710, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hale	Parsons
Amari	Dixon	Hand	Preuitt
Bailey	Drinkard	Holmes	Rice
Barron	Ellis	Manley	Sanders
Bedford	Figures	Menton	Smith (B)
Bedsole	Foshee	Mitchem	Smith (J)
Denton	Goodwin		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 710. Relating to Calhoun County, amending Act No. 592, S. 456, 1953 Regular Session, as amended, providing a civil service system for the City of Anniston, so as to provide further for the expense allowance for members of the board.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Campbell	Hale	Rice
Barron	Corbett	Hand	Sanders
Bedford	Covington	Holmes	Smith (B)
Bedsole	deGraffenried	Mitchem	Smith (J)
Bennett	Denton		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 364. Relating to Randolph County; authorizing the county commission to provide a certain expense allowance for the coroner to be paid

from the county general fund and expiration date therefor and providing for a certain monthly salary for such coroner to be effective at the beginning of the next term of office with such salary to be in lieu of all salaries and expense allowances heretofore provided by law for such coroner.

Also:

H. 753. Relating to Lauderdale County; amending Act No. 79-107, H. 171, 1979 Regular Session, which created the office of license commissioner, so as to authorize said commission to issue business licenses by mail.

Also:

H. 700. To propose a constitutional amendment for Chambers County establishing a Fire and Rescue Fund, assessing court charges for certain criminal offenders to fund said Fire and Rescue Fund, distributing the money in said fund and granting certain powers to the county commission and the legislature.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 317. Relating to Blount County, to amend Act 85-620 of the 1985 Regular Session, so as to remove the provision that the chairman of the county commission shall be a full time position.

Also:

H. 551. To allow the City of Madison in Madison County to establish historic districts.

Also:

H. 562. To further reapportion House District 88 and House District 89 of the Alabama Legislature based upon the 1980 census.

Also:

H. 688. Relating to Escambia County; amending Act No. 84-576, H. 664, 1984 Regular Session, which establishes a trust fund for the proceeds of the oil and gas severance taxes, so as to provide further for the termination date of the trust fund.

Also:

H. 689. To fix the fee for the issuance of pistol permits in Escambia County and provide for the deposit of such fees in a fund known as the

**REGULAR SESSION**  
**26th Day**

1661

Sheriff's Pistol Permit Fund and provide for the use of such fund and an effective date.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**BUDGET ISOLATION RESOLUTION**

Senator Holmes, B. I. R., H. B. 711, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Dixon	Manley
Amari	Cabaniss	Ellis	Menton
Bailey	Campbell	Goodwin	Mitchem
Barron	Corbett	Hale	Rice
Bedford	Covington	Hand	Smith (B)
Bedsole	Denton	Holmes	Smith (J)
Bennett	Dial		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 711. To amend further Section 3 of Act No. 592, S. 456, Regular Session 1953 (Acts 1953, p. 838) as last amended by Act No. 85-552, H. 952, Regular Session 1985 (Acts 1985, p. 844), which provides for a civil service system for the city of Anniston in Calhoun County, so as to provide further for certain exemptions.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Mitchem
Amari	Cabaniss	Goodwin	Pruitt
Bailey	Campbell	Hale	Rice
Barron	Covington	Hand	Sanders
Bedford	Denton	Holmes	Smith (B)
Bedsole	Dixon	Manley	Smith (J)
Bennett	Ellis		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Holmes, B. I. R., H. B. 739, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Manley
Amari	Covington	Goodwin	Menton
Bailey	Denton	Hale	Mitchem
Barron	Dial	Hand	Parsons
Bedford	Dixon	Holmes	Preuitt
Bennett	Ellis	Langford	Smith (J)
Cabaniss	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 739. Relating to Calhoun County; to create a cause of action in favor of the county and affected citizens against subdividers of land who fail to construct roads which conform to minimum county standards; providing further, that this act does not require that the county accept for maintenance any road which does not meet its minimum standards.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Amari	Cabaniss	Goodwin	Parsons
Bailey	Campbell	Hale	Rice
Barron	Covington	Hand	Sanders
Bedford	Denton	Holmes	Smith (B)
Bedsole	Dixon	Langford	Smith (J)
Bennett	Ellis		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Holmes, B. I. R., H. B. 740, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Manley
Amari	Cabaniss	Foshee	Menton
Bailey	Campbell	Goodwin	Mitchem
Barron	Denton	Hale	Preuitt
Bedford	Dial	Hand	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Ellis		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 740. Relating to Calhoun County; to forbid the recording of deeds, plats or other documents purporting to convey to Calhoun County any right,

REGULAR SESSION  
26th Day

1663

title or interest in land unless accompanied by a resolution of the County Commission accepting the transfer.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Mitchem
Amari	Covington	Hand	Parsons
Bailey	Denton	Holmes	Preuitt
Bedford	Dial	Langford	Rice
Bedsole	Dixon	Manley	Sanders
Bishop	Drinkard	Menton	Smith (B)
Cabaniss	Ellis		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Holmes, B. I. R., H. B. 775, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Amari	Campbell	Hale	Mitchem
Bailey	Corbett	Hand	Preuitt
Barron	Denton	Holmes	Rice
Bedford	Dial	Langford	Sanders
Bedsole	Dixon	Manley	Smith (J)
Bennett	Ellis		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 775. To authorize Calhoun County, Alabama, to levy an annual license or privilege fee upon any business, except for practicing the religious tenets of any church, and to allow the governing body of Calhoun County, Alabama, to set the amount of any such business or privilege license fee at a rate of from ten dollars to one hundred dollars for each type or category of business in the county and promulgate all necessary or appropriate rules and regulations for the implementation and enforcement of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Amari	Campbell	Goodwin	Preuitt
Bailey	Corbett	Hale	Rice
Barron	Denton	Hand	Sanders
Bedford	Dial	Holmes	Smith (B)
Bedsole	Dixon	Manley	Smith (J)
Bennett	Ellis		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Holmes, B. I. R., H. B. 799, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Hale	Mitchem	
Amari	Denton	Hand	Parsons	
Bailey	Dial	Holmes	Preuitt	
Barron	Dixon	Langford	Rice	
Bedford	Drinkard	Manley	Sanders	
Bedsole	Ellis	Menton	Smith (B)	—25
Bishop	Figures			—0

*Nays:***BILLS ON THIRD READING RESUMED****THE BILL:**

H. 799. To levy and impose on lessors or renters of tangible personal property in Calhoun County an additional license or privilege tax based on the gross proceeds of such business of leasing or renting tangible personal property payable to the license commissioner of Calhoun County, to be deposited into the general fund of the county treasury for the use of Calhoun County.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Parsons	
Bennett	Denton	Holmes	Preuitt	
Bishop	Dial	Langford	Rice	
Cabaniss	Dixon	Manley	Sanders	
Campbell	Drinkard	Menton	Smith (B)	
Corbett	Ellis	Mitchem	Smith (J)	—25
Covington	Figures			—0

*Nays:***BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., H. B. 877, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Campbell	Goodwin	Manley	
Bailey	Corbett	Hale	Menton	
Barron	Covington	Hand	Parsons	
Bedford	Dial	Hilliard	Preuitt	
Bedsole	Dixon	Holmes	Smith (J)	—25
Bennett	Ellis			—0

*Nays:*

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 877. Relating to Limestone County; authorizing the Limestone County Commission to pay for the reasonable charges of physical examinations, for prospective employees, from the county treasury.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley	
Bailey	Denton	Goodwin	Mitchem	
Barron	Dial	Hale	Parsons	
Bedford	Dixon	Hand	Rice	
Bennett	Drinkard	Holmes	Sanders	
Bishop	Ellis	Horn	Smith (J)	
Campbell	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bishop, B. I. R., H. B. 784, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton	
Amari	Corbett	Hale	Mitchem	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Holmes	Preuitt	
Bedford	Dixon	Horn	Rice	
Bedsole	Ellis	Manley	Smith (B)	
Bishop	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 784. Relating to Pickens County, providing further for the procedure for selling and redeeming lands for taxes.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Hale	Parsons	
Amari	Denton	Hand	Preuitt	
Bailey	Dial	Holmes	Rice	
Barron	Dixon	Horn	Sanders	
Bedford	Drinkard	Manley	Smith (B)	
Bedsole	Ellis	Menton	Smith (J)	
Bishop	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 881, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Menton	
Amari	Denton	Goodwin	Mitchem	
Bailey	Dial	Hale	Preuitt	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Holmes	Smith (B)	
Bedsole	Ellis	Horn	Smith (J)	
Bennett	Figures			—25

*Nays:* —0**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 881. To provide for the filing for record and the preservation of all orders, judgments and decrees made and entered by any Judge of the Circuit Court of the 29th Judicial Circuit; to provide for retroactive effect of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton	
Amari	Denton	Goodwin	Mitchem	
Bailey	Dial	Hale	Preuitt	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

*Nays:* —0**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 882, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Manley	
Amari	Corbett	Hale	Menton	
Bailey	Covington	Hand	Mitchem	
Barron	Denton	Holmes	Preuitt	
Bedford	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Smith (B)	
Bennett	Ellis			—25

*Nays:* —0



**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 882. Relating to the City of Talladega, establishing a civil service system, to provide for exempt and classified services and certain exemptions, to establish a civil service board and provide for the appointment, term, qualifications, powers, restrictions, procedure, rules and expenses of board members, to provide for the establishment of a register, filling of vacancies, disciplinary action, complaints by private citizens, political and employee organization activities, transitional period, acts prohibited and criminal penalties.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton
Amari	Covington	Hale	Mitchem
Bailey	deGraffenried	Hand	Preuitt
Barron	Denton	Holmes	Sanders
Bedsole	Dixon	Horn	Smith (B)
Bennett	Ellis	Manley	Smith (J)
Cabaniss	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Covington, B. I. R., H. B. 850, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Menton
Amari	Denton	Hale	Parsons
Bailey	Dial	Hand	Rice
Bedford	Dixon	Holmes	Sanders
Bennett	Drinkard	Horn	Smith (B)
Bishop	Ellis	Manley	Smith (J)
Campbell	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 850. Relating to Crenshaw County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer and providing for vacancies in said office; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Crenshaw County; and providing for the permissive power of the county commission to adopt the county unit system

by passing a resolution to such effect and upon the passage of such resolution by the county commission, the chairman shall notify the secretary of state and the state highway director of the adoption of the county unit system in Crenshaw County.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Manley	
Amari	Cabaniss	Goodwin	Menton	
Bailey	Campbell	Hale	Parsons	
Barron	Covington	Hand	Rice	
Bedford	Denton	Holmes	Sanders	
Bedsole	Dial	Horn	Smith (B)	
Bennett	Ellis			—25

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., H. B. 854, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Amari	Denton	Goodwin	Menton	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedsole	Drinkard	Holmes	Smith (B)	
Bishop	Ellis	Horn	Smith (J)	
Campbell	Figures			—25

*Nays:* —0

### BILLS ON THIRD READING RESUMED

THE BILL:

H. 854. To exempt any citizen of Alabama over 65 years of age from paying an admission fee at the Pike County public fishing lake.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Menton	
Bailey	Campbell	Hale	Mitchem	
Barron	Covington	Hand	Preuitt	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Ellis			—25

*Nays:* —0

REGULAR SESSION  
26th Day

1669

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 870, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Menton
Amari	Denton	Hale	Mitchem
Bailey	Dial	Hand	Preuitt
Barron	Dixon	Holmes	Sanders
Bedsole	Drinkard	Horn	Smith (B)
Bishop	Ellis	Manley	Smith (J)
Campbell	Figures		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 870. Relating to Talladega County; to exempt from all county or local ad valorem taxes all property owned and used by the Amvets of Alabama, Club Post 25.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley
Amari	Denton	Goodwin	Mitchem
Bailey	Dial	Hale	Preuitt
Barron	Dixon	Hand	Sanders
Bedsole	Drinkard	Hilliard	Smith (B)
Bishop	Ellis	Horn	Smith (J)
Campbell	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 871, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Manley
Bailey	Campbell	Goodwin	Mitchem
Barron	Corbett	Hale	Preuitt
Bedford	Covington	Hand	Sanders
Bedsole	Denton	Hilliard	Smith (B)
Bennett	Dixon	Horn	Smith (J)
Bishop	Ellis		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 871. Relating to Talladega County; authorizing and establishing a court of record in Sylacauga, Talladega County, to conduct circuit court proceedings in the branch courthouse at Sylacauga in said county and providing for a referendum on the provisions of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Manley
Bailey	Campbell	Hale	Menton
Barron	Covington	Hand	Mitchem
Bedford	Denton	Hilliard	Preuitt
Bedsole	Dixon	Holmes	Smith (B)
Bennett	Ellis		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 872, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Hale	Manley
Amari	Campbell	Hand	Menton
Bailey	Covington	Hilliard	Mitchem
Barron	Denton	Holmes	Preuitt
Bedford	Dixon	Horn	Rice
Bedsole	Ellis	Langford	Smith (B)
Bennett	Foshee		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 872. Relating to Covington County; amending Act No. 86-703, S. 17, 1986 1st Special Session, which authorizes the county commission to levy a sales tax, so as to merely alter the distribution of the proceeds from the tax and in no way affect the amount of the tax.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Hale	Menton
Amari	Denton	Hand	Mitchem
Bailey	Dial	Hilliard	Parsons
Barron	Dixon	Holmes	Rice
Bedsole	Drinkard	Horn	Sanders
Bishop	Ellis	Manley	Smith (B)
Campbell	Foshee		

—25

*Nays:*

—0

REGULAR SESSION  
26th Day

1671

REPORT FROM RULES

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 178. COMMENDING LT. COL. OLIVER NORTH FOR HIS DEVOTION TO DUTY AND COUNTRY.

On motion of Senator Foshee, said Resolution was adopted by the Senate.

BUDGET ISOLATION RESOLUTION

Senator Preuitt, B. I. R., H. B. 880, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Menton
Amari	Corbett	Hale	Mitchem
Bailey	Covington	Hand	Preuitt
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Smith (B)
Bedsole	Dixon	Manley	Smith (J)
Bennett	Ellis		

—25

*Nays:*

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 880. To fix the fee for the issuance of pistol permits in Talladega County and provide for the deposit of such fees in a fund known as the Sheriffs Law Enforcement Fund and provide for the use of such fund and to provide that the provisions hereof shall be retroactive.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Menton
Amari	Cabaniss	Hale	Mitchem
Bailey	Campbell	Hand	Preuitt
Barron	Corbett	Holmes	Sanders
Bedford	Denton	Horn	Smith (B)
Bedsole	Dial	Manley	Smith (J)
Bennett	Dixon		

—25

*Nays:*

—0

BUDGET ISOLATION RESOLUTION

Senator Holmes, B. I. R., S. B. 662, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Hale	Mitchem	
Amari	Corbett	Hand	Parsons	
Bailey	Denton	Holmes	Pruitt	
Barron	Dial	Langford	Rice	
Bedford	Dixon	Manley	Sanders	
Bedsole	Ellis	Menton	Smith (B)	
Bennett	Figures			—25

<i>Nays:</i>				—0
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**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 662. Relating to the City of Oxford in Calhoun County; providing that the office of mayor shall be full-time.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Amari	Denton	Goodwin	Menton	
Bailey	Dial	Hale	Parsons	
Barron	Dixon	Hand	Rice	
Bedsole	Drinkard	Holmes	Smith (B)	
Bishop	Ellis	Langford	Smith (J)	
Campbell	Figures			—25

<i>Nays:</i>				—0
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**BUDGET ISOLATION RESOLUTION**

Senator Bennett, B. I. R., H. B. 509, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Parsons	
Amari	Dial	Hale	Pruitt	
Bailey	Dixon	Hand	Rice	
Barron	Drinkard	Manley	Sanders	
Bedford	Ellis	Menton	Smith (B)	
Bennett	Figures	Mitchem	Smith (J)	
Cabaniss	Foshee			—25

<i>Nays:</i>				—0
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 509. To provide for the appointment of a Chief Deputy Tax Assessor by the Elected Jefferson County Tax Assessor and by the Elected Jefferson

**REGULAR SESSION  
26th Day**

1673

County Assistant Tax Assessor, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputies.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley
Bailey	deGraffenried	Goodwin	Menton
Bedford	Denton	Hale	Rice
Bennett	Dial	Hand	Sanders
Cabaniss	Dixon	Holmes	Smith (B)
Campbell	Drinkard	Horn	Smith (J)
Corbett	Ellis		

—25

*Nays:* —0

**REPORTS OF COMMITTEES**

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Rogers, Davis, McClain, Spratt, Escott, White (G), and Slaughter (With Notice and Proof):

H. 549. To further provide for the regulation of horse racing and pari-mutuel wagering thereon; to amend Sections 11-65-2, 11-65-16, 11-65-19 and 11-65-22, Code of Alabama 1975, relating to the requirements that must be satisfied by any person applying for a license to own or operate a horse racing facility and any person holding or acquiring an interest in the holder of such an owner's or operator's license, so as to eliminate any requirement that any such person (or any director or officer thereof) must be or must have been for any specified period of time a resident of the State of Alabama or must apply for permission to acquire an interest in the owner or operator and any limitation on the percentage of ownership that may be acquired in an owner or an operator by one person or family group; to provide that ownership of an interest in an owner or operator may not be held or acquired by a disqualified person and to allow a commission to require the disposition of the interest of any person in an owner or operator if such person is a disqualified person; to amend Section 11-65-10, Code of Alabama 1975, relating to the powers and duties of a racing commission; to amend Section 11-65-2, Code of Alabama 1975, to include a definition of a "disqualified person"; and to provide that the provisions of this act shall apply prospectively.

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. McKee (With Substitute):

H. 678. Establishing a communications bureau within the data systems management division of the department of finance; providing for the acquisition of telecommunications equipment, systems and related services on

behalf of state agencies; prescribing procedures for such acquisition; authorizing the promulgation of rules and regulations; prescribing powers and duties.

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Marietta, Box, Gaston, Kvalheim, Zoghby, Harper, Penry, McMillan, and Hooper:

H. 802. To amend Section 33-1-3, Code of Alabama 1975, which establishes the office of the Director of state docks, so as to establish the qualifications of the office and to provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$5,000.00 the highest authorized salary for employees of the department in the classified service of the state.

By Reps. Adams, Hooper, Hammett, and Starkey:

H. 792. To amend Section 41-9-201(a), Code of Alabama 1975, which establishes the office of the Director of Development, so as to establish qualifications of office of Director of Development and provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$25,742.00 the highest authorized salary for employees of the Alabama Development Office who are subject to the provisions of the merit system law.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 355. Relating to the practice of veterinary medicine and surgery in Alabama; amending the title and Sections 2, 4, 5, 6, 12, 14, 16 and 29 of the Alabama Veterinary Practice Act, Act No. 86-500, S. 121, Regular Session 1986, approved April 30, 1986 (such sections now appearing in the 1986 Cumulative Supplement to the Code of Alabama 1975 as Sections 34-29-61, 34-29-63, 34-29-64, 34-29-65, 34-29-71, 34-29-73, 34-29-75 and 34-29-88, respectively), so as to change the name of the board; and to provide further for the practice and licensure of such veterinary medicine and surgery.

By Senators Bedford, Dial, Bennett, Bedsole, and Hale:

S. 91. To require elected public officials and their employees and certain other persons who have any financial interest in any commercial hazardous waste disposal site in the state of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this act.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute,



with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senator Rice (With Substitute) (With Amendments):

S. 277. To amend Sections 34-24-191 and 34-24-217 of the Code of Alabama 1975, relating to the practice of physical therapy, so as to allow individuals to have direct access to physical therapy services.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senator Covington (With Amendments):

S. 343. To provide that only a licensed chiropractor, a licensed osteopath or a licensed medical doctor may perform manipulations or adjustments to the joints of the human spine and its contiguous attachments, but not confined to the spine; and to prohibit them from delegating this authority to anyone not so licensed; providing certain disciplinary action for persons violating this act and other penalties.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Goodwin and Foshee (With Substitute):

S. 151. To amend Section 28-3A-11 of the Code of Alabama 1975, relating to lounge retail liquor license so as to create a separation of package retail liquor license from the lounge retail liquor license.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Barron (With Amendment):

S. 588. To authorize the governing body of any county or municipality, or any county and municipality or municipalities to establish historic preservation commissions and architectural review boards in order to preserve and protect buildings, sites, structures, areas and districts of historic significance, architectural, archaeological and aesthetic heritage in the state, and to promote these attractions to tourists and visitors; to provide for the membership, the qualifications and terms, the powers, duties, and appointments to such commissions and boards; to prescribe that certain reporting shall be made to the Alabama Historical Commission and to the local governing bodies; to provide for the reimbursement of expenses of members, the rules of procedures for operations, and notice of meetings; to provide that each commission shall constitute a non-profit governmental agency whose funds shall be used exclusively for public purposes; to prescribe that certain restrictions shall be placed on designated properties, and provide exceptions thereto; to provide for appeals and other judicial processes; to preserve certain existing historic development commissions or architectural review boards; to authorize these to be certified with local government status

or to assume the powers of this act pursuant to proper ordinance; to provide for exceptions to certain highways, roads, streets or bridges, including the properties utilized in connection therewith, and to provide for exceptions to certain highways, roads, streets or bridges; and to provide that the provisions of this act are cumulative.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Bedsole, Holmes, Menton, Hand, Figures, and Dial (With Substitute):

S. 585. To amend further Section 33-4-48, Code of Alabama 1975, as amended, which relates to the pay of pilots, by revising the schedule of pilots' fees.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Hilliard (With Amendment):

S. 270. To provide an exemption from the competitive bid law for municipalities acting pursuant to the authority granted by Act #105 of the 1972 Regular Session of the Alabama Legislature.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Covington, Foshee, Rice, Parsons, Bennett, Campbell, Figures, Bedford, Smith (B), Holmes, Drinkard, Preuitt, Dixon, Menton, Hale, Horn, Ellis, Hand, Smith (J), Denton, and Bailey (With Substitute):

S. 599. To amend Code of Alabama 1975, Section 36-15-10, to provide for the appointment of Executive Assistants to the Attorney General.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Foshee and Rice:

S. 613. To amend Section 34-27-7 Code of Alabama 1975, so as to provide for the appointment of members of the Alabama Real Estate Commission by the Governor of Alabama by providing that the said appointments be made from a list of nominations submitted by a prescribed method; and further to provide that the executive director and assistant executive director possess certain administrative and management qualifications; and to provide an effective date.

By Senator Manley:

S. 581. To amend Section 11-3-11(a)(15) of Code of Alabama 1975 in order to authorize and empower the County Commission of any County to require property owners to connect with a sanitary sewer system operated by said County any facilities for the collection or disposal of sewage; to charge the owners of affected property for the costs of such connection; and to create a lien against such affected property for the enforcement of the payment of such costs.

By Senator Manley:

S. 469. To amend section 11-81-11 of the Code of Alabama 1975, as heretofore amended, to permit the sale of bonds issued under the authority of Chapter 81 of Title 11 of the Code of Alabama 1975, as amended, to be sold at public or private sale as the governing body of the municipality or county may determine.

By Senators Covington and Foshee:

S. 596. To provide the Secretary of State and the State Auditor with a monthly expense allowance from funds appropriated to each respective office. To further provide for the equalization of annual salaries of the Secretary of State and the State Auditor with that of the State Treasurer at the expiration of the current term of office of these constitutional officers.

By Reps. Marietta, Zoghby, Gaston, Box, Kennedy, Turner, Kvalheim, Harper, Clark (W), and Buskey (JE):

H. 570. To authorize each municipality in this State to donate certain real property (whether acquired prior to or subsequent to the enactment hereof) to the United States of America for use by the said United States for defense and related purposes, to authorize each such municipality to issue its bonds, warrants or the evidences of indebtedness for the purpose of providing funds to purchase such real property and to authorize each such municipality to convey such real property to a "related public corporation" under Chapter 63 of Title 11 of the Code of Alabama of 1975 for the purpose of enabling such public corporation to donate the said real property to the United States.

By Reps. Starkey, Hettinger, and Zoghby:

H. 56. To require reimbursement to a municipality, or county, or the state which has expended public funds for the training of firefighters if such firefighters are employed by another state, county, fire district, or municipal agency within twelve months after completion of training; establishing procedures.

By Reps. Johnson (RG) and Haynes:

H. 565. To provide that only one municipal sales (gross receipts) or use tax and only one county sales or use tax shall be collected or paid on the same sale.

By Reps. Gaston, Clark (J), Hettinger, Grouby, Williams, Spratt, Fuller, Layson, Harvey, McMillan, Willis, Holmes, Hooper, Kvalheim, Freeman, Payne, White (L), Frazier, Moon, Butler, Warren, Walker, Higginbotham, Zoghby, Hammett, Adams, Perdue, Flowers, Thomas, Cosby, Johnson (RW), Blake, Goodwin, Davis, Petelos, Wright, Logan, Mikell, Blakeney, Holley, Black, Haynes, Poole, Mathis, Campbell, Lindsey,

Beasley, Crow, Rogers, McDowell, Headley, Newman, Melton, Escott, Beers, McClain, Buskey (JL), Kennedy, Biddle, Venable, Turnham, Starkey, Bugg, Junkins, Gray, Hamilton, Hogan, Faulk, Rains, Richardson, Box, Buskey (JE), Burke, Bowling, Breedlove, Hall, White (F), McKee, Curry, Knight, Marks, Parker, Slaughter, Carter, Hill, Seibels, Newton, Grayson, and Reed:

H. 350. To provide that upon the death of a state employee his beneficiary shall be entitled to a payment of at least one-half of his accrued sick leave.

By Senator Goodwin:

S. 604. To amend section 36-33-2, Code of Alabama 1975, which provides for security officers for certain members of the executive branch, so as to remove executive security officers exemption from minimum standards.

By Senator Goodwin:

S. 595. To provide for the definition of the word "population" as relates to municipalities, whenever it appears in the Code of Alabama 1975.

Senator Foshee, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Hooper, Clark (J), Campbell, Thomas, Butler, Burke, Gaston, Kvalheim, Carter, and Walker:

H. 719. To authorize the establishment of "enterprise zones," pursuant to state tax and other incentives in order to promote job creation and economic development; to provide for the duties and authority of the Alabama Department of Economic and Community Affairs, the Alabama Department of Industrial Relations, the Alabama Development Office, the Department of Revenue, and the local governing bodies; to provide the requirements for participation; to provide for state and local tax and nontax incentives; and to provide with respect to financing, for financial assistance to municipalities and individuals and businesses under any act of the Congress of the United States heretofore or hereafter enacted.

Senator Dial, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Carothers, Beasley, and Mathis:

H. 840. To provide for referendums to authorize Class 5 municipalities to construct hydroelectric generating facilities.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bedsole (With Notice and Proof) (With Amendment):

S. 498. Relating to Mobile County; providing for the acceptance of certain unimproved roads and regulating the construction of certain other unimproved roads.

By Senator Bedsole (With Notice and Proof) (With Amendment):

S. 654. Relating to Mobile County; levying an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection, and distribution of the proceeds of the tax, and of the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Zoghby (With Notice and Proof):

H. 481. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

By Rep. Zoghby (With Notice and Proof):

H. 679. To amend Section 7 of Act No. 31 of the Second Special Session 1975 (Acts 1975, p. 141), as amended, which relates to the incorporation in any municipality, having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent federal decennial census, of an authority, as a public corporation, for the purpose of providing public transportation service in such county and the compensation of directors of any such authority, so as to further provide for the number of directors.

By Senator Menton (With Notice and Proof):

S. 627. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

By Rep. Turner (With Notice and Proof):

H. 798. Relating to Mobile County; providing that the county commission shall call for a public hearing to be held a certain time prior to approving any landfill project and dirt pits in said county and empowering the county commissioner representing the commission district in which such proposed landfill and dirt pits are to be located with veto power over any commission decision approving such landfill project and dirt pits if such public hearing is not called as provided for in this act.

By Rep. Zoghby (With Notice and Proof):

H. 924. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator deGraffenried (With Notice and Proof):

S. 620. Relating to Tuscaloosa County; providing the tax assessor and tax collector of the county an additional expense allowance, payable from county funds; and providing further for the compensation of each such public office at the expiration of the respective terms of office of such incumbent officials.

By Senator Hand (With Notice and Proof):

S. 660. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Orange Beach, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Orange Beach.

By Senator Mitchem (With Notice and Proof):

S. 661. Relating to Marshall County; authorizing an increase in the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the Marshall County School Tax District (commonly referred to as District No. 1 and consisting of all of said county except the City of Guntersville, the City of Albertville and the City of Arab school districts) in said county in accordance with Amendment No. 373 to said Constitution of Alabama 1901; providing that such increased district ad valorem tax shall be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year shall be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year shall be due and payable October 1, 1992) for public school purposes and providing that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said Marshall County School Tax District in a special referendum election called and held for such purpose in accordance with the laws governing special elections.

By Senator deGraffenried (With Notice and Proof):

S. 653. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 1 (being all that part of the said county lying North and West of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

By Senator Mitchem (With Notice and Proof):

S. 663. Relating to Marshall County; providing that the Marshall County Commission shall be authorized to levy sales and use taxes paralleling the

state sales and use taxes with the same exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing that there shall be excluded from any such levy any incorporated municipality in Marshall County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

By Senator Rice (With Notice and Proof):

S. 694. Relating to Lee County; providing further for the appointment of the county license inspector.

By Senator deGraffenried (With Notice and Proof):

S. 656. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 2 (being all that part of the said county lying South and East of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama, and that portion of the unincorporated area of the county which is under the jurisdiction and control of the Tuscaloosa City Board of Education), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

By Senators Goodwin and Ellis (With Notice and Proof):

S. 665. Applying only to Bibb County; regulating use and identifying certain mobile homes; providing for the use of decals for such purposes; and providing fees and penalties.

By Senators Goodwin and Ellis (With Notice and Proof):

S. 666. Applying only to Bibb County; providing for the creation of a county license inspector and deputy county license inspector; providing for delinquency and citation fees, commissions and penalties allowable to such inspector; providing that all license inspector's fees, commissions and penalties be paid into the county general fund for the use of the county; and repealing all conflicting provisions of law.

By Senator Ellis (With Notice and Proof):

S. 664. To levy a lodgings tax in Shelby County, to provide for the collection and distribution of said tax, and to provide that the net proceeds of said tax shall be used exclusively for the support and promotion of tourism and industry in Shelby County.

By Senator Hand (With Notice and Proof):

S. 610. To remove certain property from within the municipal limits of the Town of Summerdale in Baldwin County.

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 928. Relating to Clarke County; providing further for the qualifications of the county superintendent of education.

By Rep. Harvey (With Notice and Proof):

H. 752. Relating to Blount County; To provide for a special recording fee of \$2.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Blount County; and to provide for the expenditure of the funds in the office of the judge of probate.

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 858. Relating to Clarke County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the revenue commissioner, relieving the probate judge of such duties; repealing conflicting acts; and providing for an advisory referendum.

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 859. Relating to Clarke County; providing for the creation, appointment, powers and duties of a county license inspector; providing for delinquency and citation fees, commissions and penalties allowable to such inspector; and providing that all license inspector's fees, commissions and penalties be paid into the county general fund for the use of the county; providing for the county commission to set the compensation of such officer; and providing for an advisory referendum.

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 860. To create the office of commissioner of licenses in Clarke County; to provide for the issuance of all licenses except marriage licenses; to prescribe the powers, duties and authority of the commissioner of licenses; to provide for the election of such commissioner, his term, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties and records of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed; and to provide for an advisory referendum.

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 861. Relating to Clarke County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector; prescribing the amount of salary and method of payment of said salary; repealing conflicting laws; providing for an advisory referendum; and prescribing the effective date of this act.

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 862. Relating to Clarke County; to change the method of compensating the judge of probate; to fix such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county and the salary paid from the said general fund;



to make provision for a chief clerk and other personnel, quarters and supplies for the probate office; and to provide for an advisory referendum.

By Reps. Breedlove and Blakeney (With Notice and Proof):

H. 863. Proposing an amendment to the Constitution of Alabama of 1901, relative to the fees and compensation of the judge of probate of Clarke County.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Hogan (With Notice and Proof):

H. 712. Relating to Walker County; amending Act No. 113, H. 69, 1965 First Special Session, which establishes a civil service system for the City of Jasper, so as to provide further for the compensation of members of the Civil Service Board.

By Rep. Mathis (With Notice and Proof):

H. 783. Relating to Geneva County; to provide for the compensation of the revenue commissioner in said county, and to specifically repeal parts of Section 6, Act 651, Regular Session 1978 (Acts 1978, p. 923) in conflict herewith.

By Rep. White (L) (With Notice and Proof):

H. 856. Relating to Tallapoosa County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

By Rep. White (L) (With Notice and Proof):

H. 857. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Jackson Gap, in Tallapoosa County.

By Rep. Faulk (With Notice and Proof):

H. 888. Relating to the Assistant District Attorney of Crenshaw County and providing further for the compensation of such office and the authority of the Crenshaw County Commission to make certain increases in the compensation, from time to time, for such office; providing that the provisions of this act shall be retroactive to October 1, 1983.

By Rep. Hamilton (With Notice and Proof):

H. 894. Relating to Limestone County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any rays of artificial light in a certain manner and under certain conditions; to provide for certain exceptions and to prescribe penalty for violation.

By Rep. Holley (With Notice and Proof):

H. 899. To alter or rearrange the boundary lines of the City of Elba, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

By Rep. Hammett (With Notice and Proof):

H. 927. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama, so as to include within the corporate limits of

said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

By Reps. Turnham and Higginbotham (With Notice and Proof):

H. 930. Relating to Lee County; authorizing the Lee County Board of Health to annually fix a schedule of fees for services rendered pursuant to the duties with which the board is charged; to provide for the annual examination and approval of such fee schedules by the county commission; to authorize the exemption of certain persons from paying said fees; to authorize the county board of health to promulgate rules and regulations proper for the administration of this act.

By Reps. McMillan and Penry (With Notice and Proof):

H. 933. Relating to the Twenty-eighth Judicial Circuit; providing for certain county salary supplements for the circuit judges and district attorney in said circuit in lieu of any local salary supplements and expense allowances heretofore provided by law for such judges and district attorney; prescribing the manner and time frame within which such county salary supplements shall be paid from the county general fund of the county containing said circuit and prescribing certain conditions which may be relative to the payment of such salary supplements.

By Rep. Parker (With Notice and Proof):

H. 945. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

By Rep. Layson (With Notice and Proof):

H. 946. Relating to Pickens County; to provide further for the expense allowance of the county coroner and to provide for retroactive effect.

By Rep. Parker (With Notice and Proof):

H. 947. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

By Reps. Crow and Willis (With Notice and Proof):

H. 954. Relating to Calhoun County; amending Act No. 80-86, 1980 Regular Session (Acts of 1980 Regular Session), so as to increase the fee for issuance of pistol permits to persons under age 65 by the sheriff; and to change the method of distribution of such fees.

By Rep. Headley (With Notice and Proof):

H. 955. Relating to Chilton County; abolishing the office of county treasurer; investing all the duties and powers of the county treasurer under the supervision of a county official designated as county administrator; and providing for the appointment and compensation of such county administrator.

By Senator Covington (With Notice and Proof):

S. 697. Relating to Dale County; providing an additional county expense allowance for members of the county board of registrars, payable from any county funds; and providing for cumulative and retroactive effect to October 1, 1986.

By Rep. Beasley (With Notice and Proof):

H. 785. Relating to Houston County; authorizing branch banking.

By Rep. Laird (With Notice and Proof):

H. 919. Relating to Randolph County and the levying and collecting of taxes; amending Section 3 of Act No. 85-466, H. 166, Regular Session 1985, which section relates to the office of revenue commissioner in Randolph County and the election thereof; amending Section 12 of said act, relating to the effectiveness of the referendum on the question of abolishing the local office of tax assessor and tax collector and establishing the office of revenue commissioner; providing for the functioning of the office of revenue commissioner commencing October 1991, and the abolishment of the offices of the tax assessor and tax collector simultaneously; providing for the retroactive effect of this act to May 7, 1985; and amending Section 2 of said act so as to make a typographical correction.

By Rep. Johnson (RG) (With Notice and Proof):

H. 922. To provide that the City Council of the City of Sylacauga, Alabama, Talladega County, may by ordinance, adopted not less than six (6) months prior to the regular municipal election, divide the municipality into single-member districts; to provide residency requirements for candidates seeking election to the council from said districts; to provide that candidates for council member be elected by only the electors of the district they wish to represent; to provide procedures for filling a vacancy in the office of the mayor in any such municipality; and to require the municipal clerk to file a certified copy of the ordinance, together with a map or plat of the city or town showing the boundaries of such districts, with the Probate Judge of the county or counties in which the municipality is located.

By Rep. Bugg (With Notice and Proof):

H. 302. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sardis City, Alabama, in Etowah County.

By Reps. Walker, Buskey (JL), McKee, and Mikell (With Notice and Proof):

H. 808. Relating to Montgomery County; authorizing the Montgomery County Commission and the Montgomery County Sheriff's Department to prohibit the overgrowth of weeds, the storage and accumulation of junk, inoperable motor vehicles and other litter; requiring a county license to operate a junkyard; and providing penalties for violations.

WHEREAS, accumulation or storage of junk, trash, scrap materials, rubbish, tires, inoperable motor vehicles, litter, debris, and other matter, all or any one or combination thereof, on premises within the unincorporated territory of Montgomery County constitutes a real and present danger and hazard to the health and safety of the citizens of the county; and

WHEREAS, such storage and accumulations are widespread and have caused reduction in the value of neighboring premises; now therefore,

By Rep. Lindsey (With Notice and Proof):

H. 826. Relating to Cherokee County; to create a license-issuing division or office within the offices of the county courthouse for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an

optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission, from time to time, to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting certain taxes, the issuance of licenses by such license-issuing division; to provide for the performance of certain duties heretofore performed by the tax collector, tax assessor and probate judge by said division in the office as designated by the county commission; to provide for certain compensation for any interim; and to provide for a referendum and the county commission passing a resolution; and to provide for the effective date of this act.

By Reps. Fuller and Laird (With Notice and Proof):

H. 929. Relating to Chambers County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for industrial development purposes and providing for a referendum.

By Rep. Johnson (RG) (With Notice and Proof):

H. 956. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Laird (With Amendment):

H. 958. To propose an amendment to the Constitution of Alabama of 1901, to authorize the levy and collection of an additional property tax within the Roanoke School District, Randolph County, for public education purposes.

The above Bill was read a second time at length as required by the Constitution.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Venable and Mikell (With Notice and Proof):

H. 962. Relating to Elmore County; providing for a special indexing fee on documents filed in the office of the judge of probate.

By Rep. Lindsey (With Notice and Proof):

H. 971. Relating to Cleburne County, to provide that the probate judge shall be paid on a pro-rata basis out of the ad valorem tax proceeds collected each year into the county general fund, effective October 1, 1987; to create a special account in the general fund for such taxes collected, and to authorize the probate judge to attend professional conventions, workshops and other professional seminars or meetings and to become a member of professional organizations, all of which is to be paid from the funds remaining in said special account after the judge is compensated.

By Rep. Lindsey (With Notice and Proof):

H. 972. Relating to Cleburne County and the position of license inspector; providing that the county license inspector shall be appointed by the county commission which shall determine whether such position shall be full-time or part-time; prescribing that the county commission shall set his duties and powers and compensation; and specifically repealing Act No. 79-482, H. 986, Regular Session 1979 (Acts 1979, p. 890), placing such powers and duties in the sheriff of the county; and repealing any laws or parts of laws in conflict herewith.

By Senator Mitchem (With Notice and Proof):

S. 696. To permit banks now or hereafter situated in Marshall County to establish, maintain and operate branch banks and branch offices within the limits of such county, except within the city limits of incorporated municipalities having a population of 5,000 or less in accord with the present or any subsequent federal decennial census and in which a bank is already established; to authorize the conduct of a general banking and trust business at such locations; and to repeal conflicting laws.

By Senator Rice (With Notice and Proof):

S. 698. Relating to Lee County; authorizing the county commission to levy and collect a one-half percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing for termination of this act.

By Senator Rice (With Notice and Proof):

S. 700. Relating to Lee County; authorizing the county commission to levy an additional ad valorem tax in said county to be distributed to the general fund of the county and to the three school systems; and providing for a referendum.

By Senator Rice (With Notice and Proof):

S. 699. Relating to Lee County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, outside the corporate limits of Auburn and Opelika; providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; and prescribing penalties and fixing punishment for violation of this act.

By Senator Rice:

S. 701. To propose an amendment to the Constitution of Alabama of 1901, relating to and authorizing the levy and collection, by the governing body of Lee County, of financial charges or assessments on property within the boundaries of any one or more fire fighting districts in Lee County, the holding of elections within such districts to approve the rate or rates and duration of such financial charges or assessments, providing that such financial charges or assessments need not be assessed in exact proportion to value, and providing for the expenditure of the proceeds from such financial charges or assessments; to fix a date for an election upon such proposed

amendment; and to provide for publication of notice thereof prior to such election.

The above Bill was read a second time at length as required by the Constitution.

By Senator Rice (With Notice and Proof):

S. 702. Relating to Lee County; to authorize the county commission, subject to the referendum approval of a majority of the qualified electors of any fire fighting district, to levy and collect charges on property within fire fighting districts of Lee County; to authorize the county commission to establish fire protection districts and enter into agreements with volunteer fire departments for fire protection services in said districts; to provide for the assessment, collection, and use of the proceeds of such charges; and to provide for a procedure of holding referendum elections in fire protection districts in order to ratify the charges herein authorized.

By Senator Sanders (With Notice and Proof):

S. 690. Relating to Greene County; providing for an additional expense allowance for the county coroner.

By Senator Sanders:

S. 688. Proposing an amendment to the Constitution of Alabama relating to combining the offices of tax assessor and tax collector of Greene County.

The above Bill was read a second time at length as required by the Constitution.

By Senator Sanders (With Notice and Proof):

S. 689. Relating to Lowndes County; providing that it shall be unlawful for anyone from any highway or public road to willfully throw or cast headlights or any rays of artificial light from any motor vehicle on to any field, woodland or forest in any attempt to locate deer or any other wildlife with the exception of resident farmers or ranchers who may do so while checking livestock on owned, leased or rented land; and providing for penalties.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Parsons:

S. 36. To further amend Section 36-27-51, Code of Alabama 1975, as amended, reopening the Employees' Retirement System of Alabama for certain municipal employees on a certain date, so as to add certain employees of political subdivisions thereof; to prescribe eligibility therefor and the payment for certain creditable service.

By Senator Smith (J):

S. 80. To amend Section 11-42-100, Code of Alabama 1975, as amended, so as to improve and to clarify the legislative intent of said Section by providing for petition certification by the judge of probate, time for election,

effective date of consolidation of municipalities, and time for subsequent elections.

By Senator Foshee:

S. 184. To amend Section 41-9-341, Code of Alabama 1975, which relates to reimbursement of expenses of members of the USS Alabama Battleship Commission, so as to allow members to be reimbursed for actual expenses incurred from funds of the commission.

By Senator Campbell:

S. 306. To amend Section 36-1-4.1, Code of Alabama 1975, which provides for payroll deductions of public employees for certain national health services, so as to include Mental Health Association in Alabama, Inc., and National Council on Alcoholism, Inc., Alabama Division, within the definitions of charitable organizations as used in this section.

By Senator Foshee:

S. 525. To amend Sections 36-16-8 and 36-16-11, Code of Alabama 1975, relating to the inventory of state property, so as to further regulate the submission of inventory to the state auditor and the conducting of inventory.

By Senator Foshee:

S. 677. To prohibit the Alcoholic Beverage Control Board from issuing rules and regulations prohibiting the manufacture of malt or brewed beverages.

By Rep. Turnham:

H. 191. To amend Section 11-43A-27 of the Code of Alabama 1975, as amended, relating to annual examinations of books and accounts of municipalities having a council-manager form of government, so as to provide further for such examinations.

By Reps. Newman, Junkins, Moon, and Carter:

H. 278. To amend Section 38-2-2 of the Code of Alabama 1975 relating to the state board of human resources so as to further provide for the election of two state employees to the board.

By Rep. Zoghby:

H. 575. To amend Section 41-9-41, Code of Alabama 1975, which establishes the Alabama State Council on the Arts and Humanities, so as to change the name of said Council.

By Reps. Marks, Parker, and Dillard:

H. 830. To amend Section 12-13-41, Code of Alabama 1975, which relates to duties of probate judges of this state, so as to allow the probate judge to maintain a single bound volume, or single data source, for the registration of deeds of conveyance, mortgages and other instruments to secure the payment of debt.

By Rep. McDowell:

H. 507. To amend Section 11-42-5, Code of Alabama 1975, which relates to the validation of certain prior Class 5 municipal annexations so as to bring forward the cut-off date of such prior annexations.

By Rep. Moon:

H. 401. To amend Section 41-16-120, Code of Alabama 1975, which section relates to sales of surplus state property by the surplus property division of the department of economic and community affairs, so as to provide for a 30 day period of payment by those legal entities named in subsection (e) which purchase surplus property, and to allow non-profit corporations to purchase such property, provided the federal surplus property purchasing guidelines are followed.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Grouby and Bryant (With Amendment):

H. 366. To regulate further the office of probate judge in this state; to provide for the compensation of the probate judges of the several counties to be by an annual salary; to provide for such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county; and to make provision for the personnel, quarters, supplies and equipment for the office of the probate judge.

## RESOLUTIONS

Senators Figures and Menton requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 179. MOURNING THE DEATH OF THE REVEREND MARSHALL FOCH ROBINSON OF MOBILE, ALABAMA.

WHEREAS, the Alabama Senate grievously records the death of the Reverend Marshall Foch Robinson of Mobile, Alabama, on July 10, 1987, at the age of 67 years; and

WHEREAS, Mr. Robinson, one of our States most prominent church leaders and 1972 Religious Leader of the Year, was a graduate of Tuskegee University with the B.S. degree and of Virginia Union University where he received the Bachelor of Divinity degree in 1953; he was awarded the Master of Theology degree from Virginia College in Lynchburg and received an honorary Doctor of Divinity degree from Selma University; and

WHEREAS, a United States Army veteran of World War II and former pastor of the First Baptist Church of Covington, Virginia, for 20 years, Mr. Robinson succeeded his father as pastor of Mobile's Franklin Street Baptist Church in 1973; and

WHEREAS, Mr. Robinson, in further distinguished service to the ministry, served as executive secretary of the Alabama Baptist State Convention; was founder and president of the Alabama Interdenominational Seminary; taught at Inter-Baptist Ministries in Mobile; and was a member of the Interdenominational Ministerial Alliance; and

WHEREAS, he also rendered invaluable community service by providing distinguished leadership in many capacities on both state and local levels; and



REGULAR SESSION  
26th Day

1691

WHEREAS, he was a member (since 1975) and vice president of the Mobile Transit Authority; served twice as chairman of Mobile United; and was a member of the West Mobile Kiwanis Club, Community Chest Executive Board, the Blue Lodge and Consistory and Palestine Temple Shriners; and

WHEREAS, Mr. Robinson additionally was a 33rd degree Mason and was Worthy Patron of Marie V. Dixon Chapter No. 875, OES; he had served as well on the boards of directors of a number of organizations concerned with the needs of the elderly, and was involved in such areas as the arts, education, benevolence and other worthy endeavors; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of the Reverend Marshall Foch Robinson of Mobile, Alabama, and extend our sympathy to his beloved wife, Mrs. Jessie W. Robinson; his daughter and son, Nanette Martin and Marshall Foch Robinson, Jr.; his mother, Mrs. Mittie K. Robinson; and to other family members, whose deep sorrow also is ours and for whom a copy of this resolution shall be provided.

On motion of Senator Figures, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Sanders, Figures, and Bennett requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 180. DIRECTING THE DEPARTMENT OF HUMAN RESOURCES AND THE STATE MEDICAID AGENCY TO IMPLEMENT ITEMS A., B., AND C., II, OF THE STATE HEALTH OFFICER'S SUMMARY.

WHEREAS, recently enacted federal Medicaid program amendments contained in the Sixth Omnibus Budget Reconciliation Act (SOBRA) will permit states to expend eligibility, for pregnancy related services only, to all pregnant women whose family incomes do not exceed 100 percent of poverty, and, in addition, their infants up to age one may also be covered; and

WHEREAS, a global fee of \$750 for prenatal care and delivery is proposed to hopefully increase the number of obstetricians willing to provide care to medically eligible indigent pregnant women, and that an increase in the number of providers should result in coverage in some counties not covered at this time; and

WHEREAS, within Alabama there are many areas where basic maternity care is inaccessible to the patient because of distance to the hospital, cost factors and lack of appropriate health insurance coverage and that a comprehensive program will increase the availability of access to prenatal and delivery services, and that well-trained, experienced certified nurse-midwives working as a team with obstetrician and hospital backup, can provide safe obstetrical care to well screened, low-risk women at a reduced cost; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby direct the Department of Human Resources and the State Medicaid Agency to provide improved medical services and to: implement expanded eligibility for mothers and babies; expand compensation for obstetricians; and to increase reimbursement for certified nurse-midwives, pursuant to the recommendations of II. Medicaid Improvements, A., B., and C., of the state Health Officer's

Summary, entitled "Alabama's Rescue Plan For Mothers and Children," (ADPH-P-OHPI-68/Rev. 4/87).

BE IT FURTHER RESOLVED, That it is the intent of the Legislature that of the appropriation of state and federal funds to the Alabama Medicaid Agency in HB 270, 1987 Regular Session, at least \$3,743,916 shall be used for the Medicaid Agency's Program to expand medical coverage for expectant mothers, mothers and their babies (also referred to as the SOBRA Program).

RESOLVED FURTHER, That a copy of this resolution be sent to the directors of the Department of Human Resources and the State Medicaid Agency.

On motion of Senator Bennett, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Ellis offered the following Senate Resolution, to-wit:

S. R. 181. COMMENDING THE ALABAMA ASSOCIATION OF COLLEGIATE REGISTRARS AND ADMISSIONS OFFICERS AND THE ASSOCIATION'S 1986-87 PRESIDENT, MR. WILLIAM C. CANNON, JR.

Which was filed.

### REPORT FROM RULES

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 331. REQUESTING THE ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS, AND OTHER STATE AGENCIES RESPONSIBLE FOR THE DISBURSEMENT OF FUNDS UNDER THE FEDERAL JOB TRAINING PARTNERSHIP ACT (JTPA), TO PROVIDE TRAINING FOR POTENTIAL CHILD DAY CARE STAFF, INCLUDING CHILD DEVELOPMENT ASSOCIATE (CDA) CREDENTIALING APPLICANTS.

Also:

H. J. R. 250. REQUESTING THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE CHILD DEVELOPMENT CONSULTANTS AS PERSONNEL WHO MONITOR AND LICENSE CHILD DAY CARE FACILITIES.

Also:

H. J. R. 249. ENCOURAGING THE LOCAL DISTRICT ATTORNEYS TO GIVE GREATER PRIORITY TO ENFORCEMENT OF THE CHILD CARE ACT OF 1971, REGARDING THE OPERATION OF UNLICENSED OR OUT-OF-COMPLIANCE CHILD DAY CARE FACILITIES, AND FURTHER, REQUESTING THE ATTORNEY GENERAL'S OFFICE TO ENCOURAGE LOCAL DISTRICT ATTORNEYS TO GIVE GREATER PRIORITY TO ENFORCEMENT OF THE CHILD CARE ACT OF 1971, AND WHEN SPECIFIC FAILURE TO ACT IS BROUGHT TO THE ATTENTION OF THE ATTORNEY GENERAL THAT HE TAKE APPROPRIATE LEGAL STEPS NECESSARY TO INSURE COMPLIANCE.

On motion of Senator Rice, said Resolutions were concurred in and adopted by the Senate.

**RESOLUTION**

Senator Corbett offered the following Senate Resolution, to-wit:

**S. R. 182. CONDEMNING THE NOMINATION OF ROBERT BORK FOR JUSTICE OF THE UNITED STATES SUPREME COURT.**

Which was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 51. Relating to Tallapoosa County; levying an additional ad valorem tax in the county with proceeds therefrom to be deposited in the county general fund to be expended for certain fire protection purposes upon referendum approval of such levy by the qualified electors of the county and prescribing certain criteria for eligibility to receive funding from the proceeds of such additional ad valorem taxes.

Also:

H. 582. To alter, re-arrange and extend the boundaries of the Town of Kinsey, in Houston County, Alabama.

Also:

H. 583. Relating to Lawrence County; to provide that any municipality whose corporate limits or boundaries include lands lying outside of Lawrence County, must, in addition to all other requirements of law, obtain the consent of the Lawrence County Commission before annexation of lands lying in Lawrence County.

Also:

H. 609. Relating to Houston County; providing a certain monthly expense allowance for the members and chairman of the county commission which shall be in lieu of all expense allowances heretofore provided by law for such members.

Also:

H. 701. Relating to Chambers County; to amend Sections 1 and 2 of Act No. 1180, H. 2226, Regular Session 1971 (Acts 1971, p. 2040), relating to the issuance of pistol permits by the sheriff, so as to increase the issuance fee for pistol permits and to provide further for the disposition of such fees.

Also:

H. 810. To provide that the judge of probate of Covington County shall be compensated on a salary basis; to provide for the operation of his office after he is on a salary basis; to require the judge of probate to continue to collect the fees prescribed by law and to pay such fees into the county treasury from which his salary will be paid.

Also:

H. 811. Relating to Covington County; providing for an advisory referendum relative to whether the county should be placed on a unit system of public road and bridge maintenance by a county engineer.

Also:

H. 812. To propose an amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate and other county officers of Covington County.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 741. Relating to Chambers County; to create a license-issuing division within the judge of probate's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Also:

H. 786. Relating to Sumter County; amending Section 2 of Act No. 83-480, H. 669, 1983 Regular Session (Acts 1983, p. 672), relating to levying a fee on all hazardous and nonhazardous waste deposited, or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama, so as to provide that the fee levied shall include all hazardous and nonhazardous material that is treated or buried permanently at site or that remains at the site for a reasonable length of time, and to specifically repeal Section 8 of Act No. 83-480, H. 669, 1983 Regular Session (Acts 1983, p. 672), relating to referendum.

Also:

H. 787. Relating to Sumter County; to give the county commission certain powers in regard to constructing and maintaining roads and rights-of-way leading to private dwellings.

REGULAR SESSION  
26th Day

1695

Also:

H. 827. Relating to Cherokee County; providing for the chairman of the county commission; repealing Act No. 273, S. 349, Regular Session 1943 (Local Acts, 1943), which provides for the president of such commission, so as to replace such office and duties with the judge of probate who shall be the chairman; providing that the duties and the compensation of such chairman shall be as provided by general law; providing for advisory referendum, and for interim vacancy in office of chairman.

Also:

H. 828. Relating to Cherokee County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Cherokee County; repealing conflicting laws; and prescribing the effective date of this act.

Also:

H. 829. Relating to Cherokee County; to fix the fee for the issuance of pistol permits in Cherokee County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 846. Relating to Greene County; to give the county commission certain powers in regard to constructing and maintaining roads and rights-of-way leading to private dwellings.

Also:

H. 847. Relating to Greene County; to fix the fee for the issuance of pistol permits in Greene County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 710. Relating to Calhoun County, amending Act No. 592, S. 456, 1953 Regular Session, as amended, providing a civil service system for the City of Anniston, so as to provide further for the expense allowance for members of the board.

Also:

H. 711. To amend further Section 3 of Act No. 592, S. 456, Regular Session 1953 (Acts 1953, p. 838) as last amended by Act No. 85-552, H. 952, Regular Session 1985 (Acts 1985, p. 844), which provides for a civil service system for the city of Anniston in Calhoun County, so as to provide further for certain exemptions.

Also:

H. 739. Relating to Calhoun County; to create a cause of action in favor of the county and affected citizens against subdividers of land who fail to construct roads which conform to minimum county standards; providing further, that this act does not require that the county accept for maintenance any road which does not meet its minimum standards.

Also:

H. 740. Relating to Calhoun County; to forbid the recording of deeds, plats or other documents purporting to convey to Calhoun County any right, title or interest in land unless accompanied by a resolution of the County Commission accepting the transfer.

Also:

H. 775. To authorize Calhoun County, Alabama, to levy an annual license or privilege fee upon any business, except for practicing the religious tenets of any church, and to allow the governing body of Calhoun County, Alabama, to set the amount of any such business or privilege license fee at a rate of from ten dollars to one hundred dollars for each type or category of business in the county and promulgate all necessary or appropriate rules and regulations for the implementation and enforcement of this act.

Also:

H. 784. Relating to Pickens County, providing further for the procedure for selling and redeeming lands for taxes.

Also:

H. 799. To levy and impose on lessors or renters of tangible personal property in Calhoun County an additional license or privilege tax based on the gross proceeds of such business of leasing or renting tangible personal property payable to the license commissioner of Calhoun County, to be deposited into the general fund of the county treasury for the use of Calhoun County.

Also:

H. 881. To provide for the filing for record and the preservation of all orders, judgments and decrees made and entered by any Judge of the Circuit Court of the 29th Judicial Circuit; to provide for retroactive effect of this act.

Also:

H. 882. Relating to the City of Talladega, establishing a civil service system, to provide for exempt and classified services and certain exemptions,

to establish a civil service board and to provide for the appointment, term, qualifications, powers, restrictions, procedure, rules and expenses of board members, to provide for the establishment of a register, filling of vacancies, disciplinary action, complaints by private citizens, political and employee organization activities, transitional period, acts prohibited and criminal penalties.

Also:

H. 877. Relating to Limestone County; authorizing the Limestone County Commission to pay for the reasonable charges of physical examinations, for prospective employees, from the county treasury.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 509. To provide for the appointment of a Chief Deputy Tax Assessor by the Elected Jefferson County Tax Assessor and by the Elected Jefferson County Assistant Tax Assessor, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputies.

Also:

H. 850. Relating to Crenshaw County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer and providing for vacancies in said office; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Crenshaw County; and providing for the permissive power of the county commission to adopt the county unit system by passing a resolution to such effect and upon the passage of such resolution by the county commission, the chairman shall notify the secretary of state and the state highway director of the adoption of the county unit system in Crenshaw County.

Also:

H. 854. To exempt any citizen of Alabama over 65 years of age from paying an admission fee at the Pike County public fishing lake.

Also:

H. 870. Relating to Talladega County; to exempt from all county or local ad valorem taxes all property owned and used by the Amvets of Alabama, Club Post 25.

Also:

H. 871. Relating to Talladega County; authorizing and establishing a court of record in Sylacauga, Talladega County, to conduct circuit court proceedings in the branch courthouse at Sylacauga in said county and providing for a referendum on the provisions of this act.

Also:

H. 872. Relating to Covington County; amending Act No. 86-703, S. 17, 1986 1st Special Session, which authorizes the county commission to levy a sales tax, so as to merely alter the distribution of the proceeds from the tax and in no way affect the amount of the tax.

Also:

H. 880. To fix the fee for the issuance of pistol permits in Talladega County and provide for the deposit of such fees in a fund known as the Sheriffs Law Enforcement Fund and provide for the use of such fund and to provide that the provisions hereof shall be retroactive.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returned same herewith to the Senate.

S. J. R. 167. NAMING A PORTION OF STATE HIGHWAY 18 IN HONOR OF MAX NEWMAN OF MILLPORT, ALABAMA.

Also:

S. J. R. 172. URGING THE JEFFERSON COUNTY COMMISSION TO PROVIDE OFFICE SPACE IN THE COUNTY SEAT FOR THE SHERIFF.

JOHN W. PEMBERTON,  
Clerk.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate.



S. J. R. 177. MOURNING THE DEATH OF ROBERT DAVID ROLINS OF MONTGOMERY, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., S. B. 467, adopted.

Yeas 21; Nays 1.

*Yeas:*

Senators:	Drinkard	Hand	Menton
Bailey	Ellis	Holmes	Preuitt
Bedsole	Figures	Horn	Sanders
Cabaniss	Foshee	Langford	Smith (B)
Campbell	Goodwin	Manley	Smith (J)
Denton	Hale		

—21

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 467. To amend Section 41-9-41, Code of Alabama 1975, which establishes the Alabama State Council on the Arts and Humanities, so as to change the name of said Council.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Menton
Amari	Drinkard	Hand	Preuitt
Bailey	Figures	Holmes	Sanders
Bedsole	Foshee	Langford	Smith (B)
Cabaniss	Goodwin	Manley	Smith (J)
Campbell			

—20

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., S. B. 141, adopted.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Dial	Goodwin	Manley
Bailey	Drinkard	Hale	Menton
Bedsole	Ellis	Hand	Preuitt
Bennett	Figures	Holmes	Sanders
Cabaniss	Foshee	Langford	Smith (J)
Campbell			

—20

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 141. To provide a law on deeds in lieu of foreclosure of real estate and provide definitions; set forth the effect of the transfer of the mortgagor's equity of redemption as to the rights and interest of the mortgagor; the rights and interest of the mortgagee; and the rights and interest of any person other than the mortgagor and mortgagee in the mortgaged property.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

**Yeas:**

Senators:	Campbell	Goodwin	Manley	
Amari	Dial	Hale	Menton	
Bailey	Drinkard	Hand	Preuitt	
Bedsole	Ellis	Holmes	Sanders	
Bennett	Figures	Horn	Smith (J)	
Cabaniss	Foshee	Langford		—22

**Nays:**

—0

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., S. B. 243, adopted.

Yeas 19; Nays 0.

**Yeas:**

Senators:	Campbell	Foshee	Manley	
Bailey	Dial	Goodwin	Menton	
Bedsole	Drinkard	Hale	Preuitt	
Bennett	Ellis	Horn	Sanders	
Cabaniss	Figures	Langford	Smith (J)	—19

**Nays:**

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 243. To provide a test for determining whether a person is not guilty by reason of insanity; to establish that a defendant has the burden of proving insanity; to amend Code of Alabama 1975, Section 13A-3-1; to specify the conduct to which this act applies; and to provide for an effective date.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

**SUBSTITUTE FOR S. B. 243****A BILL  
TO BE ENTITLED  
AN ACT**

To amend Code of Alabama 1975, §13A-3-1, concerning the defense of insanity or mental disease or defect; to define the defense; to specify the

REGULAR SESSION  
26th Day

1701

burden of proof; to specify the conduct to which this act applies; and to provide an effective defense.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be entitled "The Reasonable Insanity Test Act of 1987."

Section 2. Code of Alabama 1975, Section 13A-3-1 Amended.

Code of Alabama 1975, Section 13A-3-1 is hereby amended to read as follows:

"§13A-3-1. Insanity Defense.

"(a) A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity to appreciate the criminality of his conduct or to conform to the requirements of law. It is an affirmative defense to a prosecution for any crime that, at the time of the commission of the acts constituting the offense, the defendant, as a result of severe mental disease or defect, was unable to appreciate the nature and quality or wrongfulness of his acts. Mental disease or defect does not otherwise constitute a defense.

"(b) 'Severe mental disease or defect' does not include an abnormality manifested only by repeated criminal or otherwise antisocial conduct.

"(c) Lack of criminal responsibility under this section is a defense. The defendant has the burden of proving the defense of insanity by clear and convincing evidence."

Section 3. Applicability.

This act applies to conduct occurring after its effective date. Conduct occurring before the effective date of this act shall be governed by pre-existing law.

Section 4. Severability.

The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the remaining parts.

Section 5. Effective Date.

This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Dial	Hale	Manley
Bailey	Drinkard	Hand	Menton
Bedsole	Ellis	Holmes	Preuitt
Bennett	Figures	Horn	Sanders
Cabaniss	Foshee	Langford	Smith (J)
Campbell	Goodwin		

—21

Nays:

—0

And said Bill, S. B. 243, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Manley	
Bailey	Drinkard	Hand	Menton	
Bedford	Ellis	Holmes	Pruitt	
Bedsale	Foshee	Horn	Sanders	
Bennett	Goodwin	Langford	Smith (J)	
Campbell				—20

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Ellis, B. I. R., S. B. 1, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Denton	Hale	Manley	
Bailey	Dial	Hand	Menton	
Bedford	Drinkard	Holmes	Pruitt	
Bennett	Ellis	Horn	Sanders	
Cabaniss	Figures	Langford	Smith (J)	
Campbell	Foshee			—21

*Nays:* —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 1. To amend further Code of Alabama 1975, Section 32-5-313, relating to a penalty for a traffic infraction so as to increase the amount of the penalty; to create the Alabama Traffic Safety Center Fund; to provide that the additional amounts shall be used to support programs of the Alabama Traffic Safety Center; and to fund courses in the driver safety, motorcycle safety and boating safety.

was taken up.

The Standing Committee on Governmental Affairs reported the following amendment to the Bill, S. B. 1, to-wit:

#### AMENDMENT TO S. B. 1

Amend Senate Bill No. 1, Page 2, Line 19 through 22, by underlining the sentence beginning on line 19 with the words "an amount equal to . . ." and ending with the words "by the center" on line 22.

Which was adopted.

**REGULAR SESSION  
26th Day**

1703

Yeas 22; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton
Bailey	Dial	Hale	Preuitt
Bedsole	Drinkard	Hand	Sanders
Bennett	Ellis	Holmes	Smith (B)
Cabaniss	Figures	Horn	Smith (J)
Campbell	Foshee	Manley	

—22

*Nays:* —0

And said Bill, S. B. 1, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Campbell	Hand	Menton
Bailey	Denton	Holmes	Preuitt
Bedford	Drinkard	Horn	Sanders
Bedsole	Ellis	Langford	Smith (B)
Bennett	Goodwin	Manley	Smith (J)
Cabaniss			

—20

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Cabaniss, B. I. R., S. B. 426, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Campbell	Hale	Menton
Bailey	Denton	Hand	Preuitt
Bedford	Ellis	Holmes	Sanders
Bedsole	Figures	Horn	Smith (B)
Bennett	Foshee	Langford	Smith (J)
Cabaniss	Goodwin	Manley	

—22

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 426. To amend Section 40-18-27, Code of Alabama 1975, relating to income tax returns, so as to extend to an innocent spouse who signs a joint return without knowledge of all entries the same limited liability as granted for federal income tax purposes.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Campbell	Hale	Menton	
Bailey	Denton	Hand	Preuitt	
Bedford	Ellis	Holmes	Sanders	
Bedsole	Figures	Horn	Smith (B)	
Bennett	Foshee	Langford	Smith (J)	
Cabaniss	Goodwin	Manley		—22

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., S. B. 176, adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Campbell	Hand	Menton	
Bailey	Denton	Holmes	Preuitt	
Bedsole	Ellis	Horn	Smith (B)	
Bennett	Goodwin	Langford	Smith (J)	
Cabaniss	Hale	Manley		—18

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 176. To amend Sections 25-8-4, 25-8-8, and 25-8-16, Code of Alabama 1975, so as to bring Alabama's Child Labor statutes into agreement with existing Federal regulations pertaining to working hours of children under age sixteen and establishes additional specific working hours for certain children enrolled in school and also provides for exemptions to established work hours.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 1.

Yeas:

Senators:	Cabaniss	Foshee	Manley	
Bailey	Campbell	Goodwin	Preuitt	
Bedford	Denton	Hale	Sanders	
Bedsole	Drinkard	Hand	Smith (J)	
Bennett	Ellis	Langford		—18

Nay: Senator Menton

—1

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., S. B. 253, adopted.

REGULAR SESSION  
26th Day

1705

Yeas 21; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Langford
Bailey	Denton	Hale	Manley
Bedford	Drinkard	Hand	Menton
Bedsole	Ellis	Holmes	Preuitt
Bennett	Figures	Horn	Smith (J)
Cabaniss	Foshee		

—21

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 253. Proposing an amendment to the Constitution of Alabama 1901, providing that all of the assets, proceeds or income of the Teachers', Employees', State Police, Public and Judicial Retirement Systems, or any successor systems thereto, and all contributions and payments made to such systems to provide for retirement and related benefits thereunder, shall be held, invested as authorized by law, or disbursed as in trust for the exclusive purpose of providing for such benefits, refunds and administrative expenses under the management of the boards of control of the aforementioned systems; and providing that none of such assets, proceeds, income, contributions or payments shall be used, loaned, encumbered or diverted to or for any other purpose whatsoever.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Hand	Menton
Bailey	Corbett	Hilliard	Parsons
Barron	Denton	Holmes	Preuitt
Bedford	Drinkard	Horn	Rice
Bedsole	Ellis	Langford	Sanders
Bennett	Goodwin	Manley	Smith (J)
Cabaniss	Hale		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., S. B. 75, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Parsons
Bailey	Drinkard	Hilliard	Preuitt
Bedford	Ellis	Langford	Sanders
Bedsole	Figures	Manley	Smith (B)
Cabaniss	Goodwin	Menton	Smith (J)
Campbell	Hale		

—21

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 75. To amend Code of Alabama 1975, §20-2-80 to further define the crime of trafficking in illegal drugs by adding to the list of drugs for which trafficking penalties are provided; to amend Code of Alabama 1975, §20-2-80(6) to replace the provision that a second violation of §20-2-80 is subject to a life without parole sentence with a provision that violations of it are Class A felonies for purposes of Title 13A, including sentencing under the Habitual Felony Offender Act, with certain provisos; to amend Code of Alabama 1975, §20-2-81(a) to further define the restriction on early, conditional, or temporary release of anyone convicted of violating §20-2-80; to amend Code of Alabama 1975, 20-2-81 (b) to further define and restrict the circumstances in which the sentence of someone convicted of violating §20-2-80 may be reduced or suspended in return for assistance rendered law enforcement; to provide for incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal any conflicting laws or parts of laws; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

**Yeas:**

Senators:	Campbell	Hale	Parsons	
Bailey	Denton	Hand	Preuitt	
Barron	Drinkard	Hilliard	Sanders	
Bedford	Ellis	Langford	Smith (B)	
Bedsole	Figures	Menton	Smith (J)	
Cabaniss	Goodwin			—21

**Nays:**

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 490, adopted.

Yeas 19; Nays 0.

**Yeas:**

Senators:	Campbell	Goodwin	Langford	
Bailey	Denton	Hale	Menton	
Bedford	Drinkard	Hand	Preuitt	
Bedsole	Ellis	Hilliard	Sanders	
Cabaniss	Figures	Holmes	Smith (J)	—19

**Nays:**

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 490. Renaming the Plumbers Examining Board established by Act No. 529 of the 1949 Regular Session of the Legislature (Acts 1949, p. 827), as amended; continuing the existence of such board; authorizing such board



to exercise certain statewide licensing authority over plumbers and gas fitters; defining certain terms relating to plumbing and gas fitting as used in this act; prescribing procedures for appointing successors to the current members of such board; prescribing regulations relative to the scope of authority of local and state licenses issued to plumbers and gas fitters; prescribing procedures for the testing and licensing of plumbers and gas fitters under this act; providing for the compensation and expenses of the members of such board and its hired or contracted employees; authorizing such board to adopt a fee schedule; prescribing procedures for revoking licenses; authorizing such board to enter into certain reciprocity agreements with other states; prescribing penalty for violation of this act and providing for supplemental effect.

was taken up.

The Standing Committee on Governmental Affairs reported the following amendment No. 2 to the Bill, S. B. 490, to-wit:

**AMENDMENT NO. 2 TO S. B. 490**

Amend S. 490 as follows:

On page 11, line 9, after the word "Plumbing" delete the words:  
or gas fitting

On page 11, line 14, between the words "man" and "or" insert the words:  
acting under the supervision of a maintenance engineer

Which was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Parsons
Bennett	Ellis	Holmes	Rice
Cabaniss	Figures	Horn	Sanders
Campbell	Goodwin	Langford	Smith (J)
Denton			

—20

*Nays:*

—0

The Standing Committee on Governmental Affairs then reported the following amendment No. 1 to the Bill, S. B. 490, as amended, to-wit:

**AMENDMENT NO. 1 TO S. B. 490, AS AMENDED**

Amend S. 490, as amended, as follows:

On page 4, line 6, after the period following the word "years" insert the following language:

The board shall always be composed of at least two members who are holding a current membership in either the American Federation of Labor-Congress of Industrial Organization (AFL-CIO) or one of its affiliate organizations.

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Hilliard	Rice	
Cabaniss	Dixon	Horn	Sanders	
Campbell	Drinkard	Langford		—18

*Nays:* —0

On motion of Senator Hand, the provisions of Senate Rule 14(4) were suspended and he was granted permission to offer the following amendment to the Bill, S. B. 490, as amended, to-wit:

**AMENDMENT TO S. B. 490, AS AMENDED**

Amend Senate Bill No. 490, as amended, Page 10 Line 12, by inserting after the word "be" to insert the following "a cash bond of 2,000 or" and renumber the following lines accordingly

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Preuitt	
Bedsole	Drinkard	Holmes	Rice	
Cabaniss	Goodwin	Horn	Sanders	
Campbell	Hale	Langford		—18

*Nays:* —0

And said Bill, S. B. 490, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Preuitt	
Bennett	Dixon	Holmes	Rice	
Cabaniss	Drinkard	Horn	Sanders	
Campbell	Goodwin	Langford	Smith (J)	
Corbett	Hale			—21

*Nays:* —0**BUDGET ISOLATION RESOLUTION**

Senator Ellis, B. I. R., S. B. 22, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Dixon	Hale	Menton	
Bailey	Drinkard	Hand	Preuitt	
Bedsole	Ellis	Hilliard	Rice	
Campbell	Figures	Langford	Sanders	
Denton	Goodwin	Manley	Smith (J)	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 22. To provide for a supplemental appropriation of \$582,722.10 to the University of Montevallo for monies deposited in the state treasury from land transactions from approximately the years 1902 through 1925 to the credit of the University.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Horn	
Bailey	Campbell	Figures	Manley	
Bedford	Denton	Goodwin	Menton	
Bedsole	Dixon	Hale	Sanders	
Bennett	Drinkard	Holmes	Smith (J)	—19

Nays: —0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., S. B. 300, adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Menton	
Bedsole	Dixon	Holmes	Rice	
Bennett	Drinkard	Horn	Sanders	
Campbell	Goodwin	Langford	Smith (J)	
Denton	Hand	Manley		—18

Nays: —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 300. To amend Section 9-17-6, Code of Alabama 1975, which relates to the state oil and gas board, so as to authorize the board to regulate enhanced recovery methods, including Class II injection wells; and to delegate power and authority to a hearing officer; to amend Section 9-17-24, Code of Alabama 1975, which provides for notification and filing fees prior to drilling wells, so as to authorize the board to collect filing fees and application fees, to establish the Alabama State Oil and Gas Board special fund, and to provide that well permit fees, filing fees and application fees shall be paid into the State Oil and Gas Board Special Fund.

was taken up.

The Standing Committee on Natural Resources reported the following amendment No. 2 to the Bill, S. B. 300, to-wit:

**AMENDMENT NO. 2 TO S. B. 300**

Amend SB 300, page 5, line 28, by capitalizing the words: State Oil and Gas Board

Further amend SB 300, page 5, line 29, by capitalizing the words: State Oil and Gas Board

Further amend SB 300, page 5, line 30, by striking the figure \$300.00 and inserting in lieu thereof the figure \$150.00

Further amend SB 300, page 5, line 30, by inserting the following language after the word "petition.":

"Any person who desires to file a petition with the board in forma pauperis shall file with the board a motion for leave so to proceed together with an affidavit, showing his inability to pay the filing fee therefor and his belief that he is entitled to redress before the board. If the motion is granted, the person may proceed without payment of the filing fee. If the motion is denied, the board shall state in writing the reasons for the denial."

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Menton	
Bedsole	Dial	Holmes	Rice	
Bennett	Dixon	Horn	Sanders	
Cabaniss	Drinkard	Langford	Smith (J)	
Campbell	Goodwin	Manley		—18

Nays: —0

The Standing Committee on Natural Resources then reported the following amendment No. 1 to the Bill, S. B. 300, as amended, to-wit:

#### AMENDMENT NO. 1 TO S. B. 300, AS AMENDED

Amend Senate Bill 300, page 6, line 1, by striking the figure \$300.00 and inserting in lieu thereof the figure \$150.00

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Menton	
Bedsole	Dixon	Holmes	Rice	
Bennett	Drinkard	Horn	Sanders	
Campbell	Ellis	Langford	Smith (J)	
Denton	Goodwin	Manley		—18

Nays: —0

And said Bill, S. B. 300, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Menton	
Bedsole	Dial	Hilliard	Rice	
Bennett	Dixon	Holmes	Sanders	
Cabaniss	Drinkard	Horn	Smith (J)	
Campbell	Ellis	Manley		—18

Nays: —0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., S. B. 252, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Denton	Hilliard	Manley
Bedsole	Dial	Holmes	Rice
Bennett	Dixon	Horn	Sanders
Cabaniss	Drinkard	Langford	Smith (J)
Campbell	Goodwin		

—17

*Nay:* Senator Corbett

—1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 252. To provide for the establishment of a working capital fund from which to pay claims against the State Highway Department's self-insurance program (provided for in Section 23-1-41, Code of Alabama 1975, as amended), in the event that the Director of the Highway Department with the approval of the Governor elects to administer this program with Highway Department personnel. Also, to provide procedures for the establishment and operation of said working capital fund.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Langford
Bedsole	Denton	Goodwin	Menton
Bennett	Dial	Hilliard	Rice
Cabaniss	Dixon	Holmes	Sanders
Campbell	Drinkard	Horn	Smith (J)

—19

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Holmes, B. I. R., S. B. 453, adopted.

Yeas 19; Nays 1.

*Yeas:*

Senators:	Denton	Goodwin	Langford
Bedsole	Dial	Hand	Menton
Bennett	Dixon	Hilliard	Rice
Cabaniss	Drinkard	Holmes	Sanders
Campbell	Ellis	Horn	Smith (J)

—19

*Nay:* Senator Corbett

—1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 453. To create the Alabama Family Medical Catastrophe Fund; to create the Alabama Family Medical Catastrophe Fund Board to administer

said fund; to provide for the said board's composition, powers, duty and authority; to provide for funding; to provide for income tax refund checkoff donations on state income tax forms with the funds earmarked for the Alabama Family Medical Catastrophe Fund; to provide for the creation of the Alabama Family Medical Practice Fund in the state treasury; and to provide that monies in said fund shall not revert to the general fund but shall be encumbered and carried forward into each succeeding state fiscal year.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Dial	Hand	Menton	
Bedsole	Dixon	Hilliard	Preuitt	
Cabaniss	Drinkard	Holmes	Rice	
Campbell	Ellis	Horn	Sanders	
Denton	Goodwin	Langford	Smith (J)	—19

*Nays:*

—0

### BUDGET ISOLATION RESOLUTION

Senator Bedsole, B. I. R., H. B. 242, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Dixon	Hilliard	Preuitt	
Bedsole	Drinkard	Holmes	Rice	
Cabaniss	Ellis	Langford	Sanders	
Denton	Goodwin	Menton	Smith (J)	—17
Dial	Hand			

*Nay:* Senator Corbett

—1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 242. To amend Section 16-4-15 of the Code of Alabama, 1975, to permit the state superintendent of education to delay the taking of a school census for a period of 10 years.

was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Preuitt	
Barron	Dial	Hand	Rice	
Bedsole	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Langford	Smith (J)	—18
Campbell	Ellis	Menton		

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Hand, B. I. R., S. B. 264, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Menton
Barron	Denton	Goodwin	Preuitt
Bedsole	Dial	Hand	Rice
Bennett	Drinkard	Holmes	Sanders
Cabaniss	Ellis	Langford	Smith (J)
Campbell			

—20

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 264. To amend section 9-3-10.1, Code of Alabama 1975, which provides for the emergency forest fire fund, so as to change the name to the emergency forest fire, insects and disease fund and to increase the ceiling on the appropriation to the fund.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Dial	Horn	Preuitt
Bedsole	Drinkard	Langford	Rice
Cabaniss	Ellis	Manley	Sanders
deGraffenried	Goodwin	Menton	Smith (J)
Denton	Hand	Parsons	

—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Langford, B. I. R., S. B. 276, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	deGraffenried	Hand	Preuitt
Bedsole	Denton	Hilliard	Sanders
Bennett	Drinkard	Langford	Smith (B)
Cabaniss	Ellis	Manley	Smith (J)
Campbell	Goodwin		

—17

*Nay:* Senator Corbett —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 276. To amend Section 11-45-8, Code of Alabama 1975, to include other like codes with those codes listed which may be adopted by ordinance and by reference under the authority and procedures of said section.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Langford	
Bedsole	deGraffenried	Goodwin	Manley	
Bennett	Denton	Hand	Parsons	
Cabaniss	Dixon	Hilliard	Sanders	
Campbell	Drinkard	Holmes	Smith (J)	—19

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Smith (J), B. I. R., S. B. 72, adopted.

Yeas 20; Nays 2.

*Yeas:*

Senators:	Denton	Hand	Preuitt	
Bedsole	Dixon	Hilliard	Rice	
Bennett	Drinkard	Langford	Sanders	
Cabaniss	Ellis	Manley	Smith (B)	
Campbell	Goodwin	Menton	Smith (J)	
deGraffenried				—20

*Nays:*

Senators:	Corbett	Parsons	—2
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### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 72. To amend Section 12-17-61, Code of Alabama 1975, which provides for the number of district court judges, so as to provide three district court judges for Madison County; to provide for the time of establishment of such judgeship No. 3; and to provide for the election of such additional district judge.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hilliard	Preuitt	
Bedsole	Denton	Holmes	Rice	
Bennett	Dixon	Langford	Sanders	
Cabaniss	Drinkard	Manley	Smith (B)	
Campbell	Goodwin	Menton	Smith (J)	
Corbett	Hand	Parsons		—22

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Sanders, B. I. R., S. B. 250, adopted.



REGULAR SESSION  
26th Day

1715

Yeas 17; Nays 1.

*Yeas:*

Senators:	Denton	Holmes	Pruitt
Bedsole	Drinkard	Langford	Rice
Bennett	Ellis	Manley	Sanders
Campbell	Goodwin	Menton	Smith (J)
deGraffenried	Hand		

—17

*Nay:* Senator Parsons

—1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 250. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended; providing that no law whose purpose or effect is to provide for a new or increased expenditure of county funds held or disbursed by the county governing body shall become effective as to any county of this state until the first day of the fiscal year next following the passage of such law unless such law is approved by a resolution duly adopted by and spread upon the minutes of the county governing body of the county affected thereby, or such law (or other law or laws which specifically refer to such law) provides the respective county governing bodies with new or additional revenues sufficient to fund such new or increased expenditures; providing for an election thereon; and prescribing an effective date for the proposed amendment.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Parsons
Bailey	Denton	Horn	Pruitt
Bedsole	Drinkard	Langford	Rice
Bennett	Ellis	Manley	Sanders
Campbell	Foshee	Menton	Smith (J)
Corbett	Goodwin		

—21

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., S. B. 46, adopted.

Yeas 17; Nays 2.

*Yeas:*

Senators:	Denton	Hand	Pruitt
Bedsole	Dial	Horn	Rice
Bennett	Drinkard	Langford	Sanders
Campbell	Ellis	Manley	Smith (J)
deGraffenried	Goodwin		

—17

Nays:

Senators:

Corbett

Parsons

—2

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 46. To establish an official state nongame wildlife print or wildlife stamp; to provide for funding of the program establishing the print or stamp and to provide that the program shall be administered by the Department of Conservation and Natural Resources.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:  
Bedsole  
Bennett  
Cabaniss  
Campbell  
Corbett

deGraffenried  
Denton  
Drinkard  
Ellis  
Goodwin

Hand  
Horn  
Langford  
Manley  
Menton

Parsons  
Preuitt  
Rice  
Sanders  
Smith (J)

—20

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Denton, B. I. R., H. B. 413, adopted.

Yeas 19; Nays 0.

Yeas:

Senators:  
Bedsole  
Bennett  
Cabaniss  
Campbell

deGraffenried  
Denton  
Dial  
Drinkard  
Ellis

Goodwin  
Hand  
Horn  
Langford  
Manley

Menton  
Preuitt  
Rice  
Sanders  
Smith (J)

—19

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 413. To amend Section 32-8-61 Code of Alabama 1975 in order to provide that delivery to the Department of Revenue of the existing certificate of title, an application for a certificate of title and the required fee shall be made within twenty days in order for the security interest to be perfected as of the time of its creation.

was read a third time at length and passed.

REGULAR SESSION  
26th Day

1717

Yeas 19; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Bedsole	Denton	Hand	Preuitt	
Bennett	Dial	Horn	Rice	
Cabaniss	Drinkard	Langford	Sanders	
Campbell	Ellis	Manley	Smith (J)	—19

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Ellis, B. I. R., S. B. 113, adopted.

Yeas 19; Nays 2.

*Yeas:*

Senators:	deGraffenried	Goodwin	Menton	
Bedsole	Denton	Hand	Preuitt	
Bennett	Dial	Horn	Rice	
Cabaniss	Drinkard	Langford	Sanders	
Campbell	Ellis	Manley	Smith (J)	—19

*Nays:*

Senators:	Corbett	Parsons	—2
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**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 113. To amend §13A-4-3, Code of Alabama 1975, to upgrade the penalty provisions for criminal conspiracy.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Parsons	
Bedsole	Dial	Horn	Preuitt	
Bennett	Drinkard	Langford	Rice	
Cabaniss	Ellis	Manley	Sanders	
Campbell	Goodwin	Menton	Smith (J)	
deGraffenried				—20

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Parsons, B. I. R., H. B. 515, adopted.

Yeas 25; Nays 1.

Yeas:

Senators:	Bishop	Goodwin	Menton
Amari	Campbell	Hale	Parsons
Bailey	Corbett	Hand	Rice
Barron	Denton	Holmes	Sanders
Bedford	Dixon	Horn	Smith (B)
Bedsole	Ellis	Manley	Smith (J)
Bennett	Foshee		

—25

Nay: Senator Cabaniss

—1

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 515. Relating to Jefferson County; providing for the compensation of law enforcement employees in the Sheriff's Department.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 515, to-wit:

**AMENDMENT TO H. B. 515**

Amend House Bill 515, Page 1, Line 33, by striking out Section 4 in its entirety and renumbering subsequent sections accordingly.

On motion of Senator Parsons, said amendment was laid on the table.

Senator Parsons offered the following substitute for the Bill, H. B. 515, to-wit:

**SUBSTITUTE FOR H. B. 515**

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Jefferson County; providing for the compensation of law enforcement employees in the Sheriff's Department.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The starting pay and top pay of a law enforcement officer employed by the Jefferson County Sheriff's Department shall not be less than the starting pay and top pay of a law enforcement officer of comparable rank and position employed with the highest paid municipal law enforcement agency in Jefferson County at the time this act is implemented. Said municipality's municipal limits may be completely or partially in Jefferson County.

Section 2. Except as provided herein, the Jefferson County Sheriff's Department pay step schedule shall continue to be the same as other law enforcement agencies under the Jefferson County Personnel Board. Provisions of this act shall not cause any employee to receive any reduction in present compensation.

REGULAR SESSION  
26th Day

1719

Section 3. Additional expenditures created by the provisions of this act shall be paid from any funds available to the Jefferson County Commission.

Section 4. In the event that it is deemed necessary to terminate, demote or lay off any employee of Jefferson County to meet the provisions of this act, such demotions, terminations or lay offs shall be carried out in a fair and equal manner throughout all departments within Jefferson County.

Section 5. This act shall not become effective until the general employees of Jefferson County receive an increase in compensation. Provided further, however, such compensation received by the general employees shall not apply to law enforcement officers within the Jefferson County Sheriff's Department.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Manley
Bailey	Denton	Goodwin	Mitchem
Bedford	Dial	Hale	Preuitt
Bennett	Dixon	Hand	Sanders
Cabaniss	Drinkard	Holmes	Smith (B)
Corbett	Ellis	Horn	Smith (J)
Covington	Figures		

—25

Nays: —0

And said Bill, H. B. 515, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 1.

Yeas:

Senators:	Covington	Foshee	Menton
Amari	Denton	Hale	Parsons
Bailey	Dial	Hand	Rice
Barron	Dixon	Holmes	Sanders
Bedsole	Drinkard	Horn	Smith (B)
Bishop	Ellis	Manley	Smith (J)
Corbett	Figures		

—25

Nay: Senator Cabaniss —1

**FURTHER CONSIDERATION OF EXECUTIVE AMENDMENT  
TO H. B. 155**

The Senate proceeded to further consideration of the Executive Amendment to the Bill, H. B. 155, the title of which and said Executive Amendment

are set out in the Journal of the Senate for the Twenty-Second Legislative Day.

The question was on the motion of Senator deGraffenried that the Senate concur in and adopt the Executive Amendment.

And on motion of Senator Rice, the Senate concurred in and adopted said Executive Amendment to the Bill, H. B. 155.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Ellis	Langford
Bedsole	Denton	Goodwin	Manley
Bennett	Dial	Hand	Menton
Cabaniss	Dixon	Hilliard	Rice
Campbell	Drinkard	Horn	Sanders
Corbett			

—20

*Nays:*

—0

which was a majority of the whole number elected to the Senate.

### **FURTHER CONSIDERATION OF S. B. 536**

The Senate proceeded to further consideration of the Bill:

S. 536. To require the state to provide subsidized child day-care services for a certain minimum number of eligible children, and to provide for a conditional, supplemental appropriation for fiscal year beginning October 1, 1987, for a certain amount of additional eligible children.

said Bill having been postponed on the Twenty-Second Legislative Day. The question was on the substitute offered by Senator Rice, which said substitute is set out in the Journal of the Senate for the Twenty-Second Day.

On motion of Senator Rice, said substitute was laid on the table.

Senator Rice then offered the following substitute No. 2 for the Bill, S. B. 536, to-wit:

### **SUBSTITUTE NO. 2 FOR S. B. 536**

#### **A BILL TO BE ENTITLED AN ACT**

To require the state to provide subsidized child day-care services for a certain minimum number of eligible children, and to provide for a conditional, supplemental appropriation for fiscal year beginning October 1, 1987, for a certain amount of additional eligible children.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby provided a mandatory state subsidized child day-care services program within the Department of Human Resources for a minimum average of 6,500 eligible children at not less than the current Department of Human Resources payment rates for a payment-to-provider cost of not less than \$8,600,000.00 annually, based on fiscal year ending September 30, 1987.

Section 2. There is hereby provided, in addition to any and all other appropriations to the Department of Human Resources, a conditional appropriation of \$2,400,000.00 from the general fund for the fiscal year beginning October 1, 1987, to the Department of Human Resources, to provide child day-care services for an additional 1,800 eligible children. The appropriation herein provided is conditional upon the condition of the Alabama Special Education Trust Fund as ascertained by the governor, and shall be released only upon orders of the governor.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Manley	
Bedsole	deGraffenried	Hand	Menton	
Bennett	Dial	Hilliard	Preuitt	
Cabaniss	Dixon	Horn	Rice	
Campbell	Ellis	Langford	Sanders	—19

Nays: —0

And said Bill, S. B. 536, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Manley	
Barron	deGraffenried	Hand	Menton	
Bedsole	Dial	Hilliard	Preuitt	
Bennett	Dixon	Horn	Rice	
Cabaniss	Ellis	Langford	Sanders	—20
Campbell				

Nays: —0

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 249. ENCOURAGING THE LOCAL DISTRICT ATTORNEYS TO GIVE GREATER PRIORITY TO ENFORCEMENT OF THE CHILD CARE ACT OF 1971, REGARDING THE OPERATION OF UNLICENSED OR OUT-OF-COMPLIANCE CHILD DAY CARE FACILITIES, AND FURTHER, REQUESTING THE ATTORNEY GENERAL'S OFFICE TO ENCOURAGE LOCAL DISTRICT ATTORNEYS TO GIVE GREATER PRIORITY TO ENFORCEMENT OF THE CHILD CARE

ACT OF 1971, AND WHEN SPECIFIC FAILURE TO ACT IS BROUGHT TO THE ATTENTION OF THE ATTORNEY GENERAL THAT HE TAKE APPROPRIATE LEGAL STEPS NECESSARY TO INSURE COMPLIANCE.

Also:

H. J. R. 250. REQUESTING THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE CHILD DEVELOPMENT CONSULTANTS AS PERSONNEL WHO MONITOR AND LICENSE CHILD DAY CARE FACILITIES.

Also:

H. J. R. 331. REQUESTING THE ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS, AND OTHER STATE AGENCIES RESPONSIBLE FOR THE DISBURSEMENT OF FUNDS UNDER THE FEDERAL JOB TRAINING PARTNERSHIP ACT (JTPA), TO PROVIDE TRAINING FOR POTENTIAL CHILD DAY CARE STAFF, INCLUDING CHILD DEVELOPMENT ASSOCIATE (CDA) CREDENTIALING APPLICANTS.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 737. Relating to Geneva County; authorizing the Geneva County Commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and distribution of the proceeds therefor; prescribing misdemeanor violations against those who contravene the provisions of this act; and repealing Act No. 85-433, H. 711 Regular Session 1985 (Acts 1985, p. 399) providing for the Geneva County Commission to levy an additional county privilege, license and excise tax on the sale, distribution, storage, use or consumption of tobacco and certain tobacco products; the collection, enforcement and distribution of the same.

JOHN W. PEMBERTON,  
Clerk.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills



REGULAR SESSION  
26th Day

1723

with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 1. To amend further Code of Alabama 1975, Section 32-5-313, relating to a penalty for a traffic infraction so as to increase the amount of the penalty; to create the Alabama Traffic Safety Center Fund; to provide that the additional amounts shall be used to support programs of the Alabama Traffic Safety Center; and to fund courses in the driver safety, motorcycle safety and boating safety.

Also:

S. 243. To amend Code of Alabama 1975, §13A-3-1, concerning the defense of insanity or mental disease or defect; to define the defense; to specify the burden of proof; to specify the conduct to which this act applies; and to provide an effective defense.

JIM SMITH,  
Chairperson.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Campbell:

H. 114. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1985 Second Special Session and the 1986 Regular Session of the Legislature, as contained in the 1986 Cumulative Supplement to certain volumes of the Code and in the 1986 replacement volumes 11, 15 and 16 of the Code, and to make certain corrections in Volume 21 of such cumulative supplement; and to adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1986 First Special Session of the Legislature, as contained in the 1987 Interim Supplement to the Code of Alabama 1975, and to make a certain correction in such interim supplement.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 114—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Beasley (With Notice and Proof):

H. 1097. Relating to Henry County; providing for the appointment of the county superintendent of education, and providing for a referendum on

the question of whether the electors of the county favor the appointment of the county superintendent of education.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1097, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1097—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Black (With Notice and Proof):

H. 1079. Relating to Sumter County; levying a lodging tax, providing for the collection and distribution of said tax.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1079, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1079—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Black (With Notice and Proof):

H. 1100. Relating to Greene County; authorizing the Greene County Commission to levy a county privilege, license, or excise tax on the sale,

distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1100, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Lindsey (With Notice and Proof):

H. 1105. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1105, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1100 and 1105—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Richardson (With Notice and Proof):

H. 992. Relating to Jackson County; authorizing the county commission to levy a lodging tax; providing for the collection and distribution of said tax; and particularly authorizing the county commission to give up to one (1) cent of the net proceeds of such tax to the Scottsboro-Jackson County Heritage Center.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 992, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 992—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 611. To provide in Walker County for the incorporation of the Walker County Industrial Port Authority to own and operate the docks in Cordova; to provide for the management of said Authority by a board of directors; to provide for the appointment and term of office for such board of directors; to prescribe the powers and duties of the Authority; and to provide that this act shall take effect upon the conveyance of the state docks in Cordova to the Walker County Commission as authorized by Amendment No. 454 to the Constitution of Alabama of 1901.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Drake (With Notice and Proof):

H. 1069. Relating to the city of South Vinemont in Cullman County; authorizing branch banking in said city.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1069, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Thomas (With Notice and Proof):

H. 1090. Relating to Lowndes County; authorizing the Lowndes County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1090, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1069 and 1090—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Thomas (With Notice and Proof):

H. 1091. Relating to Lowndes County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1091, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Black (With Notice and Proof):

H. 1099. Relating to Greene County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1099, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1091 and 1099—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 570. Relating to Tuscaloosa County; amending Sections 1 and 2 of Act No. 81-936, H. 50, 1981 First Special Session (Acts 1981, p. 88) as amended by Act No. 85-571, H. 1005, 1985 First Special Session (Acts 1985, p. 875), relating to the compensation and expense allowance for the Sheriff of Tuscaloosa County, so as to further provide for an additional expense allowance and expiration date therefor and the Sheriff's compensation, in the next term of office for Sheriff.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Thomas (With Notice and Proof):

H. 1088. Relating to Lowndes County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Lowndes County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Lowndes County Commission for the collection of said taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1088, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1088—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Black (With Notice and Proof):

H. 1080. Relating to Sumter County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1080, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1080—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Black (With Notice and Proof):

H. 1101. Relating to Greene County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Greene County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Greene County Commission for the collection of said taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1101, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1101—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Black (With Notice and Proof):

H. 1082. Relating to Sumter County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two cents per gallon, effective August 1, 1987;

to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Sumter County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Sumter County Commission for the collection of said taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1082, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1082—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 295. Relating to the City of Scottsboro, Alabama; to prohibit the hunting of ducks, geese and all other waterfowl within certain areas of the Roseberry Embayment.

Also:

S. 493. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa, further amending Act No. 328, H. 854, 1959 Regular Session, which provides for the adjustment of benefits for sickness or other disabilities, or retirement for disability, so as to provide revised amounts for monthly benefits for temporary disability arising as a result of service in departments or any disability occurring after ten years of service in the departments, and retirement for permanent disability, amend the payments to dependents, clarify the limitations on amount of pension benefits, and to provide certain benefits to individuals who are receiving benefits under Act No. 187, S. 339, 1951 Regular Session.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Burke (With Notice and Proof):

H. 948. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hammondville, in DeKalb County.



REGULAR SESSION  
26th Day

1731

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 948, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 948—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Marietta, Williams, McMillan, Fuller, Junkins, Penry, Harper, Buskey (JL), Gaston, Kvalheim, Zoghby, Box, Kennedy, Clark (W), and Buskey (JE):

H. 203. To create and establish the "Alabama Convention and Tourist Facilities Act"; to authorize the legislature to appropriate certain sums from gross receipts (based on a prescribed formula after a hearing process by the Director of Finance and information determined by the Director of Finance), to the cities and counties or state agencies, and their entities or authorities, building Eligible Facilities to assist in the payment of the debt service on bonds issued in connection with such facilities; to define the powers and responsibilities of the Director of Finance, the State Treasurer, and the cities and counties or state agencies; and to authorize payments, based on legislative appropriations and to establish the "Convention and Tourist Facilities Fund."

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 203—to the Committee on State Development and Tourism

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment.

By Rep. Harper:

H. 215. An act requiring pipeline facilities transporting hazardous liquids and/or liquefied natural gas (LNG) and facilities used in the liquification

of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 215—to the Committee on Commerce, Transportation, and Utilities

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (RG), Carothers, and Haynes:

H. 173. To amend Section 14-3-9, Code of Alabama 1975, relating to the reporting of violations of law and arrest powers by and for Department of Corrections personnel, so as to provide certain specified employees of the Department of Corrections with full and unlimited police powers and jurisdiction as any other state police officer.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 173—to the Committee on Judiciary

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (RG), Carothers, and Haynes:

H. 172. To propose a constitutional amendment to Amendment 81 of the Constitution of Alabama of 1901, relating to the holding of courts of record and the establishment and abolition of branch courthouses and divisions of circuit court, so as to provide that habeas corpus and coram nobis proceedings in circuit court may be held at any correctional institution operated under the direction and control of the State Department of Corrections wherein the person seeking the writ is confined; to provide for security during such proceedings; to delete those provisions of Amendment

81 that are in conflict with Amendment 328 to the Constitution of Alabama of 1901, as amended, and to provide for an election on the proposed amendment and notice thereof.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 172—to the Committee on Judiciary

(The above Bill was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Moon, Marks, Hettinger, and Seibels:

H. 274. To amend section 36-19-3, Code of Alabama 1975, which relates to the duties and obligations of persons deemed assistants to the fire marshal, so as to exempt said persons from liability for civil damages as a result of their acts or omissions in performing such duties and obligations.

Also:

By Reps. Zoghby, Marietta, Davis, Escott, Rogers, McDowell, Bugg, and Clark (J):

H. 821. To provide additional funding for domestic violence shelters by amending Sections 30-6-6 and 30-6-11 Code of Alabama 1975, as last amended, to delete the limitation on the maximum available to each domestic violence facility, and re-designate the following subsection as subsection (e); to increase the additional fee for marriage licenses provided for therein by \$10.00, from \$5.00 to \$15.00; and to remove language in Section 30-6-11 in which refers to a time period which has already passed.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 274—to the Committee on Judiciary

H. B. 821—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Campbell:

H. 251. To define and set the punishment for the crimes of: unlawful distribution of controlled substances; unlawful possession or receipt of controlled substances; and unlawful possession of marihuana in the first and second degrees; to amend Code of Alabama 1975, 20-2-71, 20-2-72, 20-2-73; and 20-2-74; to provide for the incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal Code of Alabama 1975, §§20-2-70, 20-2-76, and 20-2-77, and any and all other laws or parts of laws that conflict with this act, insofar as conduct occurring after the effective date of this act is concerned; to provide that this act is supplemental to other laws not inconsistent with this act and shall not be deemed to repeal such laws; to specify the conduct to which this act applies; to provide for severability; and, to provide an effective date.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 251—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 250. To amend Sections 7-9-307, 7-9-402, 7-9-403, 7-9-404, and 7-9-407, Code of Alabama, 1975, to create the Uniform Commercial Code and Farm Products Central Index System Fund, to provide for fees relating to farm products and Uniform Commercial Code, to increase the amendatory statement filing fee, to increase the uniform fee for filing an original financing statement so as to include the termination fee, to discontinue the uniform fee for filing and indexing a termination statement for original financing statements filed after October 1, 1987, to empower the Secretary of State to set fees and charge for distributing microfilm reels containing copies of effective financing statements, to empower the Secretary of State to charge a fee for monthly partial listings of the master list of farm products registrants, and to increase the fee for a search certificate, and authorizes the Secretary of State to promulgate regulations and set reasonable fees related to implementation of a central index system and to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 250—to the Committee on Banking and Insurance

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Higginbotham:

H. 170. To provide for the confidentiality of records, information or writings obtained or kept by the board in connection with the Board of Public Accountancy's Practice Review Program, or obtained or kept by the board of public accountancy pursuant to a disciplinary investigation.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 170—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hamilton, Carter, Butler, Burke, Layson, Frazier, Logan, Petelos, Richardson, Mikell, Lindsey, Dillard, Marks, Warren, Gaston, Moon, Clark (J), Carothers, Beers, White (G), Knight, Hill, Slaughter, Seibels, Escott, McKee, Haynes, Penry, Williams, Blake, Crow, Adams, Hall, Hogan, Harvey, White (L), Ford, Coburn, Bowling, and Britnell:

H. 367. To amend Section 32-5-17, Code of Alabama 1975, relating to the certain casting of a light onto certain real property from or with the aid of a motor vehicle, so as to provide for the prohibition of such activity between sunset and sunrise on any real property, to further provide for exceptions, and to further provide for penalties for the violation thereof.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 367—to the Committee on Judiciary

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Butler, Beasley, Drake, Freeman, Flowers, Hall, White (L), Carothers, and Johnson (RG):

H. 338. To authorize the state board of health to designate and require proper reporting of notifiable diseases; to require reporting of designated notifiable diseases by certain persons and to provide for confidentiality of such reports; to provide for quarantine of certain persons afflicted with a notifiable disease; to require disclosure of certain medical records to the state health officer; to empower the state board of health to investigate and suppress notifiable diseases; to provide for penalties for failure to report notifiable diseases; to require obedience to the lawful orders of health officials regarding notifiable diseases; to require reports of active or suspected active cases of tuberculosis; to provide for commitment, after hearing before the probate judge, of recalcitrant persons infected with tuberculosis; to allow for admission to regional contract tuberculosis hospitals of persons with other types of chronic lung diseases; to provide for treatment by the state board of health of persons infected with tuberculosis; to authorize the state board of health to designate and treat sexually transmitted diseases and to require reporting thereof; to require testing for syphilis of all persons seeking a marriage license; to require sexually transmitted disease serologic testing of all pregnant women and require reporting of positive results; to require testing for designated sexually transmitted diseases of all inmates in correctional facilities and jails and require reporting of positive results; to require confinement, after hearing, of persons with designated sexually transmitted diseases; to remove the disabilities of non-age from minors 12 years or older as to treatment for designated sexually transmitted diseases; to require instruction in measures of preventing designated sexually transmitted diseases; to prescribe the penalty for treating designated sexually transmitted diseases without a license as a physician; to prescribe the penalty for transmitting designated sexually transmitted diseases; to provide for confidentiality of designated sexually transmitted disease records; to require all persons to seek and accept treatment for designated notifiable diseases; to require compulsory testing, treatment and quarantine of persons infected with designated notifiable diseases and who refuse same, after hearing before the probate judge; to prescribe the manner and form of quarantine petitions; to require the probate judge to hear such petitions; to require compulsory attendance at hearings by persons suspected of being infected with designated notifiable disease; to allow for the appointment of attorney and guardian ad litem for persons suspected of having designated notifiable disease; to allow commitment hearings in absentia under certain conditions; to specify the findings that the probate judge must make prior to commitment of persons afflicted with designated notifiable disease; to provide for jurisdiction of probate courts; to provide for payment of fees to court appointed attorneys and guardians ad litem; to provide for appeal from commitment orders; and to allow quarantine of inmates suspected of being infected with designated notifiable disease.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 338—to the Committee on Health

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. White (G):

H. 311. To levy a fee on operators of commercial hazardous waste treatment and disposal facilities for all hazardous waste received for treatment or disposal at such facilities; to establish that the amount of the fee shall be \$4.00 per ton for hazardous waste generated within the State of Alabama and \$6.00 per ton for hazardous waste generated outside the State of Alabama; and to provide that the operators of such facilities shall pay all such fees to the Alabama Department of Environmental Management to be used in the operation of the Department.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 311—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Payne, Faulk, Venable, Johnson (RG), Mikell, Laird, Fuller, Blake, Carter, Biddle, and Hall:

H. 297. To amend Section 40-18-19, Code of Alabama 1975, to provide for the exemption of retirement pay for firemen from state and local income taxes the same as retirement pay of school teachers, state employees, civil service retirees and peace officers.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 297—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Hill, Logan, Headley, and Knight:

H. 288. To exempt the King's Ranch, Inc., from the payment of all state, county and municipal sales and use taxes.

Also:

By Reps. Haynes and Rains:

H. 396. Relating to public health; prescribing certain notification requirements for protection of funeral homes and morticians taking custody of corpses known to have been infected with certain diseases; authorizing the state health officer to promulgate and implement rules and regulations to carry out the intent of this act and prescribing penalty for violation.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 288—to the Committee on Finance and Taxation

H. B. 396—to the Committee on Health

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 469. To further provide for seafoods and marine resources licenses in this state; to amend Section 9-12-80, Code of Alabama 1975, relating to certain nonresident and boat license fees, so as to further provide for said fees; to amend Section 9-12-119, Code of Alabama 1975, relating to issuance of licenses, so as to further provide for the issuance thereof, to increase the issuance fees, to specify that said issuance fees shall be in addition to the cost of licenses, to specify that the license fees shall be credited to the marine resources fund, and to provide for the return to the department of conservation and natural resources of unused licenses and stubs of licenses issued; to amend Section 9-12-82, Code of Alabama 1975, relating to "oyster catcher" licenses, so as to provide that the cost thereof shall be \$50.00; to repeal Section 9-12-84, Code of Alabama 1975; to amend Section 9-12-93, Code of Alabama 1975, relating to certain "shrimp boat" licenses, so as to increase fees and establish categories of license fees for residents, to further provide for nonresident license fees, and to provide that license fees shall be deposited to the marine resources fund; to repeal Section 9-12-92, Code of Alabama



1975; to amend Section 9-12-113, Code of Alabama 1975, relating to certain commercial hook and line and net or seine licenses, so as to increase and further provide for resident license fees, to further provide for nonresident license fees, to provide certain exemptions for certain seines, to further provide for the possession of said licenses, to require certain nets and seines to bear a certain tag, to provide that certain nets and seines utilized in certain illegal manners shall be nuisances and subject to confiscation, to provide for the forfeit of certain nets and seines under certain circumstances, and to require the immediate return to waters of game fish taken by nets or seines pursuant to this code section; to provide for a certain recreational gill net license for a fee of \$50.00, and to prohibit the sale or barter or offer for sale or barter of fish taken pursuant to this license; to provide for and require a "seafood dealer's" license, to define "seafood dealer", to provide for a license fee of \$125.00, to provide for certain exemptions, to prohibit certain restaurants and grocers from certain purchases of certain seafoods without said license, to provide for and require additional said licenses under certain circumstances, to provide from whom "seafood dealers" may purchase seafoods, to prohibit the sale of seafoods as provided for in this section without said license, and to provide penalties for the violation of this section; and to repeal sections 9-12-86, 9-12-88, 9-12-89, 9-12-90, 9-12-91, 9-12-81 and 9-12-114, Code of Alabama 1975.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 469—to the Committee on Agriculture, Conservation, and Forestry

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Adams:

H. 478. To allow official court reporters who are in office on the effective date of this act to elect coverage in the employees' retirement system of Alabama; to provide the time in which the election shall be made; to provide that all official court reporters employed after the effective date shall automatically be included in the employees' retirement system; to provide for the purchase of up to five years prior service as an official court reporter as creditable service in the employees' retirement system; to amend Section 12-17-290 of the Code of Alabama 1975 so as to provide that a break in service as an official court reporter for the state of Alabama will not affect an official court reporter's eligibility for attaining supernumerary status; to amend Section 12-17-292 of the Code of Alabama 1975 so as to further provide for the salary for supernumerary circuit court reporters; and to provide that supernumerary court reporters' commissions shall be issued by the Secretary of State rather than the Chief Justice.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 478—to the Committee on Business and Labor Relations

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hooper, Gaston, Clark (J), Laird, Harper, McKee, Higginbotham, and Flowers:

H. 431. To limit the amounts of judgments rendered against employees, officers, officials and servants of governmental entities as defined herein as a result of acts committed within the line and scope of their employment, and to limit such judgments to recovery for those acts involving willful or wanton conduct.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 431—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Campbell and Holley:

H. 838. Relating to banks and banking, which amends Title 5 of the Alabama Code of 1975 by adding Chapter 14A so as to create the "Alabama Credit Card Act of 1987"; provides a short title; provides definitions; authorizes any bank holding company, bank holding company subsidiary, domestic lender or foreign lender, to acquire, own, and control a single credit card bank whose principal place of business is in Alabama subject to the approval of the Superintendent of Banks under certain conditions and limitations; provides the terms and conditions under which a credit card bank may be organized, owned, and controlled; provides for application fees to the Superintendent; provides that in connection with a credit card account any domestic lender or credit card bank may provide in the credit card agreement such finance charges, interest rates, charges for cash advances, charges for exceeding pre-established credit limits, late fees or delinquency charges, premiums on credit life and credit accident and health insurance, annual fees, and other charges and fees, and such other terms and conditions,

as the lender and the debtor may agree to from time to time; provides applicable law for regulatory supervision and enforcement authority for credit card banks; provides for applications and filing fees to the Superintendent of Banks; provides that the Superintendent may order credit card banks to cease all operations under certain conditions and may impose civil penalties for failure to abide by such order; provides that the Superintendent may require divestiture of a credit card bank under certain conditions; provides that the Superintendent may promulgate rules and regulations; provides that credit card banks shall be subject to all other banking laws except when any rights, powers, privileges, or provisions thereof are inconsistent with the rights, powers, privileges, provisions, or limitations of Chapter 14A of Title 5; provides that a credit card bank shall not be considered a bank for the purpose of certain banking laws; provides for severability of provisions; provides for the repeal of Section 5-20-1, Code of Alabama of 1975, which establishes fees for credit cards and certain other open-end credit plans, and for the amendment or repeal of conflicting provisions of law and provides an effective date.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 838—to the Committee on Banking and Insurance

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Penry, McMillan, and Zoghby:

H. 492. To amend Section 34-27-7 Code of Alabama 1975, so as to provide for the appointment of members of the Alabama Real Estate Commission by the Governor of Alabama by providing that the said appointments be made from a list of nominations submitted by a prescribed method; and further to provide that the executive director and assistant executive director possess certain administrative and management qualifications; and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 492—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turnham:

H. 558. To provide that full-time employees and executive officers of the Alabama Retired Teachers Association may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Association and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 558—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Butler, Hamilton, Burke, Carter, and Hall:

H. 415. To provide further for the mode of consolidation of contiguous municipalities; prescribes the procedure when two or more municipalities lying contiguous to each other desire to consolidate and operate as one municipality; and repeals Section 11-42-100, Code of Alabama 1975, which relates to said procedure.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 415—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 737. Relating to Geneva County; authorizing the Geneva County Commission to levy an additional county privilege, license, or excise tax on

the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and distribution of the proceeds therefor; prescribing misdemeanor violations against those who contravene the provisions of this act; and repealing Act No. 85-433, H. 711 Regular Session 1985 (Acts 1985, p. 399) providing for the Geneva County Commission to levy an additional county privilege, license and excise tax on the sale, distribution, storage, use or consumption of tobacco and certain tobacco products; the collection, enforcement and distribution of the same.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Brooks and Hettinger:

H. 628. To provide for the creation of the offenses of theft of property by charitable fraud and charitable fraud; to provide for criminal penalties; and to provide civil remedies to stop or prevent theft of property by charitable fraud and charitable fraud.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 628—to the Committee on Judiciary

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Freeman, Layson, Wright, Moon, Richardson, Dillard, Marks, Headley, Britnell, Hamilton, Petelos, Grayson, Hill, Brooks, Slaughter, Logan, Curry, Knight, Rogers, Drake, Hooper, White (L), Box, Flowers,

Gray, McClain, Escott, Beers, Bowling, Melton, Burke, Carothers, Hall, Fuller, Poole, Cosby, and McKee:

H. 602. To provide for a Class A misdemeanor punishment for violation of the Alabama Department of Public Safety promulgated rules governing motor carrier safety regulations and hazardous material regulations.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 602—to the Committee on Judiciary

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 155. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Registration for Professional Engineers and Land Surveyors as provided in Section 34-11-30, specifically, and Sections 34-11-1 through 34-11-37, generally, of the Code of Alabama 1975; with certain modifications; to amend Sections 34-11-11 and 34-11-13, so as to provide further for the disciplinary actions of the board and to provide further for the civil appeal procedure for actions of the board.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 242. To amend Section 16-4-15 of the Code of Alabama, 1975, to permit the state superintendent of education to delay the taking of a school census for a period of 10 years.

Also:

H. 413. To amend Section 32-8-61 Code of Alabama 1975 in order to provide that delivery to the Department of Revenue of the existing certificate

of title, an application for a certificate of title and the required fee shall be made within twenty days in order for the security interest to be perfected as of the time of its creation.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### RESOLUTIONS

Senator Bedford offered the following Senate Resolutions, to-wit:

S. R. 183. COMMENDING JANE McWHORTER, DISTRICT SEVEN  
TEACHER OF THE YEAR.

Also:

S. R. 184. COMMENDING CITY COUNCILMAN MAX ISOM OF  
HACKLEBURG, ALABAMA.

Which were filed.

### COMMUNICATION FROM THE SUPREME COURT

#### THE STATE OF ALABAMA—JUDICIAL DEPARTMENT THE SUPREME COURT OF ALABAMA SPECIAL TERM, 1987

#### Opinion of the Justices No. 325

To the Members of the Senate  
State House  
Montgomery, Alabama

Dear Senators:

We are in receipt of Senate Resolution 164, by which you have requested our advisory opinion on the constitutionality of S. B. 668, a bill now pending before the legislature. This bill would provide monies out of the Alabama Special Educational Trust Fund to fund numerous non-state agencies.

Senate Resolution 164 reads as follows:

"BE IT RESOLVED BY THE SENATE OF THE ALABAMA LEGISLATURE, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions on the following important constitutional questions which have arisen concerning the pending bill SB 668, copies of which are attached to this resolution and made a part hereof by reference.

"1. Section 45 of the Constitution of 1901 refers to 'general appropriation bills.' Is SB 668 a general appropriation bill as said

term is used in Section 45 and therefore excepted from the provisions of Section 45 requiring that 'each law shall contain but one subject, which shall be clearly expressed in its title'?

"2. Does SB 668 violate the provision of Section 45 which requires that 'each law shall contain but one subject, which shall be clearly expressed in its title'?"

"3. Does SB 668 violate Section 71 of the Constitution of 1901 which requires that all appropriations, other than appropriations in the general appropriation bill, shall be made by separate bills, each embracing but one subject?"

"RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send sufficient true copies of said pending bill to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this resolution."

Senate Bill 668 and S. B. 667 (the subject of Opinion of the Justices No. 326, [Ms. July 13, 1987] \_\_\_\_ So. 2d \_\_\_\_ (Ala. 1987)), are the same except that the title of S. B. 668 does not specify the non-state agencies to which appropriations are being made. We find that this is a distinction without a difference; therefore, the answer to question number one is no. The answer to question number two is yes, and the answer to question number three is yes. See Opinion of the Justices No. 326, [Ms. July 14, 1987] \_\_\_\_ So. 2d \_\_\_\_ (Ala. 1987).

QUESTIONS ANSWERED.

Respectfully submitted,

C. C. TORBERT, JR.,  
Chief Justice.

HUGH MADDOX,  
RICHARD L. JONES,  
RENEAU P. ALMON,  
JANIE L. SHORES,  
SAM A. BEATTY,  
OSCAR W. ADAMS, JR.,  
J. GORMAN HOUSTON, JR.,  
HENRY B. STEAGALL II,

Associate Justices.

### OPINION RENDERED

Pursuant to the provisions of S.R. 164, the foregoing Opinion of the Supreme Court was read and ordered spread upon the Journal.

### COMMUNICATION FROM THE SUPREME COURT THE STATE OF ALABAMA—JUDICIAL DEPARTMENT THE SUPREME COURT OF ALABAMA SPECIAL TERM, 1987

#### Opinion of the Justices No. 326

To the Members of the Senate  
State House  
Montgomery, Alabama

Dear Senators:

We are in receipt of Senate Resolution 165, by which you have requested our opinion on the constitutionality of S. B. 667, a bill now pending before



the legislature. This bill would provide monies out of the Alabama Special Educational Trust Fund to fund numerous non-state agencies.

Senate Resolution 165 reads as follows:

"BE IT RESOLVED BY THE SENATE OF THE ALABAMA LEGISLATURE, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions on the following important constitutional questions which have arisen concerning the pending bill SB 667, copies of which are attached to this resolution and made a part hereof by reference.

"1. Section 45 of the Constitution of 1901 refers to 'general appropriation bills.' Is SB 667 a general appropriation bill as said term is used in Section 45 and therefore excepted from the provisions of Section 45 requiring that 'each law shall contain but one subject, which shall be clearly expressed in its title'?"

"2. Does SB 667 violate the provision of Section 45 which requires that 'each law shall contain but one subject, which shall be clearly expressed in its title'?"

"3. Does SB 667 violate Section 71 of the Constitution of 1901 which requires that all appropriations, other than appropriations in the general appropriation bill, shall be made by separate bills, each embracing but one subject?"

"RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send sufficient true copies of said pending bill to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this resolution."

The title to S. B. 667 reads in part: "To make a general appropriation from the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1988 to the following non-state agencies:". The title then lists numerous entities, including the Sickle Cell Education Program, Alabama Outdoor Drama, American Legion and Auxiliary Scholarships, and the Alabama Small Business Development Consortium. This bill apparently is an attempt to fund various programs in a manner different from that dealt with in Opinion of the Justices No. 323, [Ms. June 25, 1987] \_\_\_\_ So. 2d \_\_\_\_ (Ala. 1987).

The first question asks whether the bill is a general appropriation bill and therefore exempt from the single-subject requirement of § 45. This question must be answered in the negative, because § 71 of the Constitution of 1901 states that the "general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative, and judicial departments of the state, for interest on the public debt, and for the public schools." Appropriations for "non-state agencies" clearly do not fall within any of those categories. See also Opinion of the Justices No. 323, *supra*.

We shall consider the second and third questions together, as we have recognized that if a bill meets the one-subject requirement of § 45, it also satisfies the one-subject requirement of § 71. Opinion of the Justices No. 323, *supra*; Opinion of the Justices No. 174, 275 Ala. 254, 154 So. 2d 12 (1963).

The pertinent part of Section 45 provides that "Each law shall contain but one subject, which shall be clearly expressed in its title . . ."

"The purposes of the constitutional requirement must be borne steadily in mind, when it becomes necessary to determine whether there has been legislative observance of it. The exposition of these purposes by Judge Cooley is accepted, we believe, in all the states in which a like limitation prevails. They are—'First, to prevent "hodgepodge" or "logrolling" legislation; second, to prevent surprise or fraud upon the legislature by means of provisions in bills of which the titles give no intimation, and which might therefore be overlooked, and carelessly and unintentionally adopted; and, third, to fairly apprise the people, through such publication of legislative proceedings as is usually made, of the subjects of legislation that are being considered, in order that they may have the opportunity of being heard thereon, by petition or otherwise, if they shall so desire.' Cooley, Const. Lim. 172. No one of these purposes is of more or less importance than the other. The mischief of hodgepodge legislation, the inclusion in one act of matters or subjects 'of a very heterogeneous nature,' which may mislead, and surprise the good faith of the lawmaking body; or logrolling legislation, intended to enlist varied, and, it may be, hostile, interests, in support of the proposed act,—would have been avoided if the constitutional limitation had gone no further than the requisition that 'each law shall contain but one subject.' The unity of subject is an indispensable element of legislative acts; but it is not the only element; the subject must be 'clearly expressed in its title.' . . . When there is a fair expression of the subject in the title, all matters reasonably connected with it, and all proper agencies or instrumentalities, or measures, which will or may facilitate its accomplishment, are proper to be incorporated in the act, and, as usually said, are cognate or germane to the title. But as was said in Astor v. Railway Co., 113 N. Y. 110, 20 N. E. 598: 'The title must be such, at least, as fairly to support or give a clew to the subject dealt with in the act, and, unless it comes up to this standard, it falls below the constitutional requirement.'"

Lindsay v. United States Savings & Loan Co., 120 Ala. 156, 172-73, 24 So. 171, 176 (1898)<sup>1</sup>.

It is obvious that the purpose of S. B. 667 is to provide appropriations to fund non-state agencies. While it appears that all of the provisions of the bill do provide funds for non-state agencies, our inquiry does not end there.

The precise question to be answered is whether appropriations for several non-state agencies can be considered one subject. We think not.

"It has been frequently held that generality and comprehensiveness in the title of an act is no objection to it, so long as such quality is not made a cover for legislation incongruous in itself, and by no fair intendment connected with and cognate to the subject expressed in the title." Board of Revenue of Jefferson County v. Kayser, 205 Ala. 289, 290, 88 So. 19, 20 (1921). The agencies funded are not related to each other except in the sense

<sup>1</sup> The provisions of § 45 and § 71 at issue here have been part of the Constitutions of Alabama since at least 1875. See Article II, § 2 and § 32, Constitution of Alabama of 1875.

that they are all non-state agencies. The "one subject requirement" can not be met by saying that the "subject" is a tangential aspect of each provision, where the provisions are otherwise wholly unrelated.

We think it highly pertinent that the framers of the Constitution specifically excepted general appropriation bills from the single-subject requirement of § 45. We can reasonably infer from this exception that the framers thought a single bill providing funding for all the areas provided for in a general appropriation bill (which might loosely be referred to as "appropriations for state functions") would run afoul of the one-subject requirement. In short, the framers thought that appropriations for multiple purposes embraced more than "one subject." Otherwise, an exception need not have been made.

Moreover, the notice given by the bill does not further the purposes of § 45. The title of a bill can be so broad as to be vague or meaningless and thereby provide little notice to the public as to the nature of the bill. Gibson v. State, 214 Ala. 38, 44, 106 So. 231, 235-36 (1925). Furthermore, allowing the use of a very broad title would be in conflict with the purpose of preventing logrolling, "the practice of embracing in one bill several distinct matters, none of which, perhaps could singly obtain the assent of the legislature, and then procuring its passage by a combination of the minorities in favor of each of the measures, into a majority that will adopt them all." State ex rel. Bozeman v. Hester, 260 Ala. 566, 573, 72 So. 2d 61, 66 (1954).

While the title of S. B. 667 does go on to list the various non-state agencies that will receive appropriations and therefore more clearly satisfies the purpose of providing notice to the public, sanctioning this type of notice would permit extensive logrolling which would be "to the detriment of the citizens of this state." Alabama Ed. Ass'n v. Board of Trustees of the University of Alabama, 374 So. 2d 258, 262 (Ala. 1979).

The Constitution is emphatic in its requirement that a statute shall not embrace more than one subject; a statute that violates the one-subject requirement is not saved by the fact that the title of the statute accurately reflects the several subjects of the statute. Ballentyne v. Wickersham, 75 Ala. 533 (1883).

Accordingly, we think that S. B. 667 contravenes § 45 and § 71 of the Constitution of Alabama.

#### QUESTIONS ANSWERED.

Respectfully submitted,

C. C. TORBERT, JR.,  
Chief Justice.

HUGH MADDOX,  
RICHARD L. JONES,  
RENEAU P. ALMON,  
JANIE L. SHORES,  
SAM A. BEATTY,  
OSCAR W. ADAMS, JR.,  
J. GORMAN HOUSTON, JR.,  
HENRY B. STEAGALL II,

Associate Justices.

**OPINION RENDERED**

Pursuant to the provisions of S. R. 165, the foregoing Opinion of the Supreme Court was read and ordered spread upon the Journal.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Starkey:

H. 650. To amend Sections 41-9-782 and 41-9-783 of the Code of Alabama 1975 relating to the Tennessee Valley Exhibit Commission in order to clarify the authority of said commission with respect to the issuance of revenue obligations and to make a limited appropriation and pledge for the benefit of certain of such revenue obligations of certain moneys retained by the State of Alabama from in-lieu-of-taxes payments made by the Tennessee Valley Authority.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 650—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Kennedy and Zoghby:

H. 599. To create the Police Officer's and Firefighter's Survivor Educational Act; to provide for tuition assistance and other costs for an undergraduate student in a state college, community college, junior college, technical college or state university who is the dependent child, or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to provide that the Alabama Commission on Higher Education shall administer the provisions of the act; to create the Tuition Eligibility Board and provides for membership; to make an appropriation; and to repeal Sections 36-21-95 through 36-21-99, Code of Alabama 1975, the Policeman's Survivor Tuition Act.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 599—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Gaston, Zoghby, Kvalheim, and Adams:

H. 795. To provide for the method of filing applications for allocations of a portion of the "State ceiling" applicable to tax-exempt bonds; to establish expiration and reversion dates for allocations of "State ceiling" and conditions subsequent to such allocations; to allocate the entire "State ceiling" to the State, subject to redistribution by the State Industrial Development Authority; to reserve certain portions of the "State ceiling" for the use and benefit of Alabama Housing Finance Authority and Alabama Higher Education Loan Corporation; to provide for the allocation of portions of the "State ceiling" to issuers of small issue bonds for manufacturing facilities and for exempt facility bonds and for the allocation of a portion of the "State ceiling" at the discretion of the State Industrial Development Authority; to impose certain limitations upon allocations made to local issuers of affected bonds; to provide a procedure for carryforward allocations; to establish an effective date; and to designate the President of the State Industrial Development Authority as the State official authorized to make certain certifications required under the Internal Revenue Code of 1986, as amended.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 795—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 782. To specifically exempt all purchases made with food stamps from all state, county and municipal sales and use taxes; to make such exemption contingent upon the continued requirement of federal law that conditions the states' participation in the food stamp program upon exempting purchases made with food stamps; to provide that the provisions of this act shall become inoperative, null and void if the food stamp sales tax amendment is either ruled unconstitutional or unenforceable by a federal court or is repealed by Congress; and to provide that provisions of act shall become operative on October 1, 1987.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 782—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Carothers:

H. 706. To amend Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, relating to the practice of podiatry, so as to provide for the powers and authority of the board of podiatry; to provide for the qualifications and examination of applicants for a license to practice podiatry; to prescribe additional conduct which shall be deemed unprofessional; to grant the board of podiatry certain subpoena powers; to provide for the conduct of hearings by the board and to grant members of the board of podiatry and certain other persons civil immunity in certain instances.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 706—to the Committee on Health

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Gaston, Zoghby, Kvalheim, Box, Marietta, Adams, Flowers, Hettinger, Junkins, and Harper:

H. 796. To amend Section 24-1A-9 Code of Alabama 1975, relating to the limitation on issuance of bonds by the Alabama Housing Finance Authority.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 796—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Newman:

H. 510. To establish the "County Oil and Gas Severance Trust Fund" with revenue from certain local county severance tax revenues from oil and gas production, plus certain income or interest; to regulate and provide for the administration of the expenditures of such funds by the county; to specifically repeal Act No. 2120, H. 2450, Regular Session 1971 (Acts 1971, Vol. V, p. 3399), as amended, relating to Baldwin County privilege tax on persons engaged in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters; to specifically provide that this bill shall not be construed to repeal Section 40-20-2, Code of Alabama 1975, as amended, which levies certain taxes upon the production or severing oil or gas from the soil or waters; and to provide for the non-severability construction.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 510—to the Committee on Rules

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Breedlove:

H. 803. To provide for the creation, appointment, organization, operation, meetings and continuance of the St. Stephens Historical Commission; to provide for acquiring, constructing, establishing, maintaining and promoting certain properties and structures of historical interest and functional utility at St. Stephens, in the vicinity of the site of the first territorial capital of Alabama; to provide for financial cooperation with other public or private agencies and historical organizations; and to provide for the employment of personnel.

Also:

By Rep. Davis:

H. 934. To amend Section 19-3-120, Code of Alabama 1975, which provides for the classes of authorized investments, in which trustees, executors, administrators and other fiduciaries may invest, so as to include the African Development Bank within such classes of investments.

Also:

By Rep. Davis:

H. 935. To amend Section 27-41-14, Code of Alabama 1975, which provides for investments of life, disability and burial insurance companies, so as to allow said companies to invest in the African Development Bank.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 803—to the Committee on Governmental Affairs

H. B.'s 934 and 935—to the Committee on Banking and Insurance

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Adams (With Notice and Proof):

H. 993. Relating to Russell County; to amend Section 8 of Act No. 85-386, H. 540 of the 1985 Regular Session (Acts 1985, p. 332), relating to levying an additional sales tax, so as to provide further for the termination of any tax levied under the authority of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 993, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Adams (With Notice and Proof):

H. 994. Relating to Russell County; to provide that the county commission may authorize two additional deputies to be employed by the sheriff.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 994, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 993 and 994—to the Committee on Local Legislation No. 1



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Reed (With Notice and Proof):

H. 938. Relating to Bullock County; providing further for the expense allowances for certain county officials to be paid at the discretion of the county commission.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 938, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 938—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hammett:

H. 813. To provide that service as a county tax assessor may be credited as time in a judicial position with the judicial retirement system.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 813—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Grouby (With Notice and Proof):

H. 961. Relating to Autauga County; approving and authorizing the Autauga County Commission to levy an increase of the countywide public

school ad valorem tax presently being levied pursuant to Amendment No. 3 to the Constitution of Alabama of 1901 at the rate of three mills in Autauga County from the present millage to nineteen mills, all in accordance with Amendment No. 373 to the Alabama Constitution; such increased countywide ad valorem tax to be levied and collected by Autauga County for each year beginning with the levy for the tax year October 1, 1987 to September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year October 1, 2003 to September 30, 2004 (the tax for which year will be due and payable October 1, 2004) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of Autauga County at a special election called and held in accordance with the laws governing special elections.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 961, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 961—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harvey:

H. 814. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 814—to the Committee on Agriculture, Conservation, and Forestry

(The above Bill was read a first time at length as required by the Constitution.)

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harvey:

H. 815. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a nonprofit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 815—to the Committee on Agriculture, Conservation, and Forestry

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 836. To amend Section 40-13-8, Code of Alabama 1975, as amended, so as to provide that the excise and privilege tax on coal shall terminate at the latest of the final maturity, redemption of and payment of all accrued interest on (i) bonds issued by the Alabama State Docks Department pursuant to Act No. 64 enacted at the 1971 First Special Session of the Legislature of Alabama, (ii) any obligations issued to refund any of the bonds issued pursuant to that Act or (iii) any obligations issued to refund any obligations described in clause (ii).

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 836—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Harper:

H. 837. To provide that the first \$9,500,000 of the net amount of all taxes required to be deposited to or certified in the state treasury to the credit of the state general fund pursuant to Section 40-20-8, Code of Alabama 1975, as amended, in each fiscal year beginning with the fiscal year commencing on October 1, 1987, shall be credited to an account to be known as the Alabama State Docks Facilities Contingency Trust Fund and created hereby; to provide that there shall be appropriated and paid to the Alabama State Docks Department, under certain circumstances, all or a portion of all funds deposited to that account based on the expected deficiency anticipated to be incurred by the Department in payment of (1) expenses anticipated to be incurred in operating and maintaining the Department's coal handling and other facilities and (2) principal and interest coming due during the then current fiscal year on certain bonds of the state and of the Department; to provide that within forty-five days after the close of the third quarter of a fiscal year any moneys then contained in and as shall during the remainder of the fourth quarter of the fiscal year be deposited to the credit of the account established hereby in excess of the amount anticipated to be needed during the fourth quarter to satisfy any expected deficiency in the Department's operations as defined herein shall be transferred out of Alabama State Docks Facility Contingency Trust Fund and deposited to the general fund; to provide that amounts transferred pursuant to this Act may be used for any lawful purpose except to pay principal of or interest on any obligations issued by the Alabama State Docks Department; to provide that this Act shall not constitute a contract between the State or the Alabama State Docks Department and the holders of any obligations issued by the Alabama State Docks Department; to provide that amounts transferred pursuant to this Act constitute mere voluntary payments by the State to or in aid of the Alabama State Docks Department; to repeal all laws or parts of laws in conflict with the provisions of this Act; to provide that the provisions of this Act are severable; and to provide for an effective date.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 837—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Flowers and Holley:

H. 974. To provide for the establishment of the Pike County Pioneer Museum Commission; to establish the authority for the issuance of revenue obligations; to make a limited appropriation and pledge for the benefit of certain of such revenue obligations of certain moneys retained by the State of Alabama from in-lieu-of-taxes payments made by the Tennessee Valley Authority.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 974—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Cosby:

H. 912. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of not less than five nor more than eight aldermen to be elected from districts and a council president to be elected at large.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 912—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Williams, Bowling, Mathis, Beasley, Johnson (RG), Carothers, Higginbotham, Carter, and Slaughter:

H. 903. Relating to the office of state treasurer, to authorize the treasurer to hire one additional employee, not subject to the state merit system,

who shall serve at the pleasure of the treasurer; to provide the benefits, rights and privileges of other state employees to the said additional employee; and to authorize the treasurer to set the salary of the additional employee at an amount not to exceed the maximum payable to assistant department heads in the executive branch of government.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 903—to the Committee on Banking and Insurance

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Hogan:

H. 845. Relating to members of the board of registrars of this state; to amend Section 17-4-153, Code of Alabama 1975, relating to the salary of the boards of registrars, to provide that a certain salary shall be paid to each member of a board of registrars for each day's attendance upon business of the board; to provide that the said salary plus the employer share of the social security or Federal Insurance Corporation Act tax shall be paid to the county commissions and the salary shall be disbursed by the county commissions to each member of a board of registrars; to provide for the reimbursement of travel and other expenses to the county commissions based on a written request submitted to the state comptroller; to state the legislative intent of this act; to provide that such members of the boards of registrars of this state shall be treated as other state and county employees are treated for social security purposes; to direct that the state office for social security and the state comptroller and each county commission shall take all necessary action to insure that such board members are treated as other state and county employees in regard to social security protection and benefits as provided in Chapter 28 of Title 36 of the Code of Alabama, including, if necessary, amending the federal-state agreement referred to in said Chapter 28 of Title 36 of the Code of Alabama; to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this act; and to provide the manner in which this bill becomes law.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 845—to the Committee on Rules

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Carter:

H. 876. To amend Code of Alabama 1975, §12-15-65 to provide that an out of court statement made by a child under the age of twelve describing acts of sexual conduct performed on or with the child by another shall be admissible in dependency hearings if the court finds that the statement is sufficiently reliable; to provide that such statement may not be admitted unless the proponent of the statement gives advance notice of the details of the statement and of his intention to offer the statement, so that the adverse party may have a fair opportunity to rebut the statement; to provide the conduct to which this act applies; to provide for severability; and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 876—to the Committee on Rules

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (RW) (With Notice and Proof):

H. 1072. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 1 (being all that part of the said county lying North and West of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1072, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1072—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Butler (With Notice and Proof):

H. 977. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Huntsville, in Madison County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 977, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Box (With Notice and Proof):

H. 1066. Relating to Mobile County; levying an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection, and distribution of the proceeds of the tax, and of the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1066, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 977—to the Committee on Local Legislation No. 1

H. B. 1066—to the Committee on Local Legislation No. 3

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:



**REGULAR SESSION**  
**26th Day**

1763

By Rep. Ford:

H. 1034. To make a supplemental appropriation of \$68,500 from the Alabama Credit Union Administration Fund to the Alabama Credit Union Administration for the fiscal year ending September 30, 1987.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1034—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carothers, Johnson (RG), Beasley, Mikell, Faulk, Haynes, and White (L):

H. 506. Relating to the practice of veterinary medicine and surgery in Alabama; amending the title and Sections 2, 4, 5, 6, 12, 14, 16 and 29 of the Alabama Veterinary Practice Act, Act No. 86-500, S. 121, Regular Session 1986, approved April 30, 1986 (such sections now appearing in the 1986 Cumulative Supplement to the Code of Alabama 1975 as Sections 34-29-61, 34-29-63, 34-29-64, 34-29-65, 34-29-71, 34-29-73, 34-29-75 and 34-29-88, respectively), so as to change the name of the board; and to provide further for the practice and licensure of such veterinary medicine and surgery.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 506—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Zoghby:

H. 691. To amend Section 6-9-40, Code of Alabama 1975, relating to property subject to execution, so as to allow for the execution on personal property of a defendant, including things in action.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 691—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1020. To make an appropriation from the State General Fund for certain Waterway Associations for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1020—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Mathis (With Notice and Proof):

H. 851. Relating to Geneva County; providing for election of the members of the county commission from certain defined districts and prescribing the manner by which such districts shall hereafter be defined for purposes of electing such members.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 851, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Clark (J) (With Notice and Proof):

H. 983. Relating to Barbour County, to authorize the county commission to levy and collect certain taxes and fees, and to provide for the disposition of any proceeds from such taxes and fees.

**REGULAR SESSION**  
**26th Day**

1765

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 983, as required in the General Acts of Alabama, 1975, Act No. 919.

**JOHN W. PEMBERTON,**  
Clerk.

*JOHN W. PEMBERTON,*  
*Clerk.*

**MOTION IN WRITING**

Senator Rice offered the following Motion in Writing, to-wit:

**MOTION IN WRITING**

I move that H. B. 851 be read at length as required under Section 63, Article IV, Constitution of Alabama 1901, and under Senate Rule 24.

I further request that this motion and the resolution thereof be recorded and spread upon the Journal of the Senate.

Whereupon, the President and Presiding Officer of the Senate ordered said Bill, H. B. 851, to be read at length.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 851 and 983—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Headley (With Notice and Proof):

H. 1012. Relating to Bibb County; to authorize the West Alabama District Board of Health to designate the services rendered by the Bibb County Health Department for which a reasonable fee may be charged. The West Alabama District Board of Health is further required to set a maximum fee for each service. The Bibb County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1012, as required in the General Acts of Alabama, 1975, Act No. 919.

**JOHN W. PEMBERTON,**  
Clerk.

Also:

By Reps. Moon and Rains (With Notice and Proof):

H. 1013. To fix the fee for the issuance of pistol permits in Marshall County and provide for the deposit of such fees in a fund known as the

Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1013, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### MOTION IN WRITING

Senator Rice offered the following Motion in Writing, to-wit:

### MOTION IN WRITING

I move that H. 1012 be read at length as required under Section 63, Article IV, Constitution of Alabama 1901, and under Senate Rule 24.

I further request that this motion and the resolution thereof be recorded and spread upon the Journal of the Senate.

Whereupon, the President and Presiding Officer of the Senate ordered that said Bill, H. B. 1012, be read at length.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1012 and 1013—to the Committee on Local Legislation No. 1

### QUORUM CALL REQUESTED

At 9:58 P.M., Senator Rice requested that the President and Presiding Officer of the Senate ascertain the presence of a quorum.

Upon a call of the roll, the following Senators responded to their names:

Senators:	Campbell	Ellis	Manley
Bailey	Corbett	Foshee	Parsons
Bedford	deGraffenried	Hale	Preuitt
Bennett	Denton	Hilliard	Rice
Bishop	Drinkard	Horn	Smith (J)
Cabaniss			

—20

### BUDGET ISOLATION RESOLUTION

Senator deGraffenried, B. I. R., H. B. 320.

On motion of Senator Rice, further consideration of the B. I. R., H. B. 320, was postponed subject to the call of the Chair.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Moon and Rains (With Notice and Proof):

H. 1009. Relating to Marshall County; requiring all lodging facilities located in Lake Guntersville State Park to collect certain lodgings taxes as provided by law.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1009, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Holmes (With Notice and Proof):

H. 1051. Relating to Montgomery County; to allow persons with certain equitable interest in real estate located in the county to be released from legal custody following arrest and to sign his own recognizance bond for court appearance.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1051, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1009 and 1051—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Venable (With Notice and Proof):

H. 1044. Amending Section 1 of Act No. 23, H. 140, Local Acts 1943 (Local Acts 1943, p. 14), as amended, which provides for the election of the Coosa County Superintendent of Education, so as to fill such office by appointment of the county board of education; providing for referendum; and repealing Section 2 of said act relating to the election of such office.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1044, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

*JOHN W. PEMBERTON,*  
*Clerk.*

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1044—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reprs. Moon and Rains (With Notice and Proof):

H. 1056. Relating to Marshall County; providing that the Marshall County Commission shall be authorized to levy sales and use taxes paralleling the state sales and use taxes with the same exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing that there shall be excluded from any such levy any incorporated municipality in Marshall County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1056, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

*JOHN W. PEMBERTON,*  
*Clerk.*

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1056—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reprs. Marks and Parker (With Notice and Proof):

H. 1041. Relating to Morgan County; to authorize the Morgan County Commission to impose an additional excise tax on persons, corporations,

**REGULAR SESSION**  
**26th Day**

1769

partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county not to exceed one (1) cent additional tax per gallon; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Morgan County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Morgan County Commission for the collection of said taxes; and to provide such taxes shall be supplemental to any and all other such taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1041, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

*JOHN W. PEMBERTON,*  
*Clerk.*

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1041—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Warren (With Notice and Proof):

H. 996. To fix the fee for the issuance of pistol permits in Monroe County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 996, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Warren (With Notice and Proof):

H. 997. To fix the fee for the issuance of pistol permits in Conecuh County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 997, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 996 and 997—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Moon and Rains (With Notice and Proof):

H. 1018. Establishing the powers and authority and requirements of district attorney's investigators of the twenty-seventh judicial circuit of Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1018, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Moon and Rains (With Notice and Proof):

H. 1031. Relating to Marshall County; to amend Section 1 of Act No. 588, S. 838, 1977 Regular Session (Acts 1977, p. 781), which provides for the sheriff's employees and deputies, so as to provide further for their number, compensation and clothing allowance; to repeal conflicting acts including Acts No. 621, S. 720, and No. 630, H. 1289, 1976 Regular Session (1976 Acts, pgs. 854 and 868).

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1031, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1018 and 1031—to the Committee on Local Legislation No. 1



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. White (L) (With Notice and Proof):

H. 990. Relating to Tallapoosa County; to alter, rearrange and extend the boundary lines and corporate limits of the City of New Site in said county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 990, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Zoghby (With Notice and Proof):

H. 1004. Relating to compensation of the Mobile County Treasurer; amending Section 1 of Act No. 80-338, H. 857, Regular Session 1980 (Acts 1980, p. 458) relating to compensation for such officer, so as to further provide therefor.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1004, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 990—to the Committee on Local Legislation No. 1

H. B. 1004—to the Committee on Local Legislation No. 3

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Haynes (With Notice and Proof):

H. 1055. Relating to the Twenty-ninth Judicial Circuit, in Talladega County; providing further for the compensation of the district attorney.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1055, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1055—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (RW) (With Notice and Proof):

H. 1071. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 2 (being all that part of the said county lying South and East of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama, and that portion of the unincorporated area of the county which is under the jurisdiction and control of the Tuscaloosa City Board of Education), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1071, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1071—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Bowling (With Notice and Proof):

H. 1016. Relating to Cullman County; providing for the county governing body to reimburse the offices of the revenue commissioner and the probate judge for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing that such funds shall be payable from the general fund of the county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1016, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Moon and Rains (With Notice and Proof):

H. 1017. Relating to Marshall County; authorizing the Marshall County Commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and distribution of the proceeds therefor; providing for an advisory referendum on the issue of adding such additional county tax; prescribing misdemeanor penalties against those who violate the provisions of this act; and construing that the provisions of this act are cumulative.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1017, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1016 and 1017—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Adams (With Notice and Proof):

H. 995. Relating to selling and redeeming lands for taxes in Russell County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 995, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Zoghby (With Notice and Proof):

H. 926. Providing for a medical examiner system for the investigation of certain types of deaths in Mobile County, Alabama; abolishing the office of county coroner; prescribing the manner of appointment, qualifications, powers and duties of the county medical examiner; prescribing procedures and requirements relating to postmortem examinations and autopsies of deaths occurring under certain circumstances in the county; requiring that certain deaths shall be reported to either the county medical examiner or a law enforcement agency in said county; providing protection from civil and criminal liability for such medical examiners properly performing their duties; transferring funds and equipment to the medical examiner system; requiring annual reports on such system to be submitted to the county governing body; imposing criminal penalties for certain violations of this act; and specifically repealing: Act No. 871, H. 1115 Regular Session 1951; Act No. 462, H. 862 Regular Session 1951; Act No. 563, S. 427 Regular Session 1943; Act No. 35, H. 198 and Act No. 36, H. 199 Special Session 1933; and Act No. 153, Regular Session 1866, all relating to the coroner or the operation of the coroner's office in Mobile County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 926, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 995—to the Committee on Local Legislation No. 1

H. B. 926—to the Committee on Local Legislation No. 3

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Burke (With Notice and Proof):

H. 949. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fort Payne, in DeKalb County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 949, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Drake (With Notice and Proof):

H. 167. Relating to Cullman County; authorizing branch banking.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 167, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 949 and 167—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Drake (With Notice and Proof):

H. 1068. Providing for branch banking in the cities of South Vinemont, West Point, Fairview and Baileyton in Cullman County and in that portion of the city of Arab lying within Cullman County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1068, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1068—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Slaughter (With Notice and Proof):

H. 1038. Relating to the Tenth Judicial Circuit in Jefferson County; to amend Section 6 of Act No. 75-523, H. 121, Regular Session 1975 (Acts

1975, p. 1174), relating to the appointment, duties and compensation of deputy district attorneys, so as to provide further that the chief deputy district attorney and each of the five deputy district attorneys at Levels #1, #2 and #3 shall be paid according to the amended schedule of salaries.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1038, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. McDowell, White (G), McClain, Newton, Escott, and Rogers (With Notice and Proof):

H. 1065. To alter, rearrange and extend the boundaries and corporate limits of the city of Bessemer, Alabama, so as to incorporate certain territory as described herein.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1065, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1038 and 1065—to the Committee on Local Legislation No. 2

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. White (L) (With Notice and Proof):

H. 988. Relating to Tallapoosa County, providing for the election of the County Board of Education and County Superintendent of Education; adopting single-member districts and repealing all conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 988, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Cosby (With Notice and Proof):

H. 1062. Relating to Dallas County; amending the title and section 1 of Act No. 415, H. 745, 1978 Regular Session (Acts 1978, p. 412) which act

REGULAR SESSION  
26th Day

1777

established the Dallas County Law Library Fund, so as to increase certain court costs to be paid to the said Law Library Fund.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1062, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 988 and 1062—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Lindsey (With Notice and Proof):

H. 1035. To promote the maintenance of Cleburne County's natural beauty by eliminating unsightly and unhealthy litter; to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified; to grant power and authority to the Cleburne County Health Department to enforce littering laws in Cleburne County; and to prescribe fines for violations.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1035, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Marks and Parker (With Notice and Proof):

H. 1040. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1040, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1035 and 1040—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Reed (With Notice and Proof):

H. 984. Relating to the city of Tuskegee in Macon County; to alter the corporate boundaries in accordance with the request of the governing body of the city of Tuskegee.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 984, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Reed (With Notice and Proof):

H. 987. Relating to Macon County; providing for an elected chairman for the Macon County Commission; prescribing procedures for the election of such chairman; prescribing procedure whereby the county commission shall decide whether such elected chairman shall be a part-time chairman or a full-time chairman; prescribing the salary and term of office of such county commission chairman; providing a certain expense allowance for such county commission chairman; providing for an interim chairman of the county commission if one becomes necessary and providing that this act shall have certain supplemental effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 987, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 984 and 987—to the Committee on Local Legislation No. 1



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turner (With Notice and Proof):

H. 1006. Relating to Mobile County; directing and requiring the county governing body to provide for holding an advisory election relative to the question of alternative methods of levying additional county taxes to raise revenue for the Mobile County school board for purposes of public education.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1006, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1006—to the Committee on Local Legislation No. 3

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Thomas:

H. 749. To propose an amendment to the Constitution of Alabama 1901 for Wilcox County to provide further for filling vacancies in certain county offices.

Also:

By Rep. Thomas:

H. 750. To propose an amendment to the Constitution of Alabama 1901 for Lowndes County to provide further for filling vacancies in certain county offices.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 749 and 750—to the Committee on Local Legislation No. 1

(The above Bills were read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. White (L) (With Notice and Proof):

H. 989. Relating to Tallapoosa County; to authorize the Tallapoosa County Commission to impose excise taxes on persons, corporations, partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Tallapoosa County Commission to make reasonable rules and regulations for the collection of such taxes; to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Tallapoosa County Commission for the collection of said taxes; and to provide that the tax shall expire on December 31, 1988.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 989, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 989—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Moon and Rains (With Notice and Proof):

H. 1057. Relating to Marshall County; approving an increase of the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the City of Arab School District (the boundaries of which district are coterminous with the corporate limits of said city) in Marshall County from the present millage to thirteen mills, all in accordance with Amendment No. 373 to said Alabama Constitution; such increased district ad valorem tax to be levied and collected by the governing

body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year will be due and payable October 1, 1992) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said City of Arab School District at a special election called and held in accordance with the laws governing special elections.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1057, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1057—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Hammett (With Notice and Proof):

H. 1014. Relating to Covington County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as the county revenue commissioner; abolishing the offices of tax assessor and tax collector in said county; prescribing the duties and compensation of such commissioner; providing for a motor vehicle license division within the revenue commissioner's office; prescribing duties and procedures for such division; providing for an optional procedure for the renewal of motor vehicle licenses by mail; authorizing certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail; providing that this act shall become effective only if approved at a referendum election and providing for an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1014, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. McKee (With Notice and Proof):

H. 1042. To amend Section 6 of Act No. 350, S. 434, 1971 Regular Session of the Legislature (Acts 1971, p. 642), relating to planning commissions in certain cities classified on a population basis (the City of

Montgomery in Montgomery County), so as to provide further for certain procedures relating to the meetings of such commissions.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1042, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1014 and 1042—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Moon and Rains (With Notice and Proof):

H. 1058. Relating to Marshall County; authorizing an increase in the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the Marshall County School Tax District (commonly referred to as District No. 1 and consisting of all of said county except the City of Guntersville, the City of Albertville and the City of Arab school districts) in said county in accordance with Amendment No. 373 to said Constitution of Alabama 1901; providing that such increased district ad valorem tax shall be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year shall be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year shall be due and payable October 1, 1992) for public school purposes and providing that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said Marshall County School Tax District in a special referendum election called and held for such purpose in accordance with the laws governing special elections.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1058, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1058—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Black (With Notice and Proof):

H. 1083. Relating to Greene County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1083, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Black (With Notice and Proof):

H. 1084. Relating to Sumter County; to establish in the county treasury an Indigent Health Care Fund to be funded by a portion of the proceeds from certain taxes levied in the county; to create an Indigent Health Care Committee and to provide for appointment of membership; and to authorize such committee to manage, approve and make disbursement of such fund for purpose of indigent health care.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1084, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1083 and 1084—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Black (With Notice and Proof):

H. 1085. Relating to Sumter County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1085, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Black (With Notice and Proof):

H. 1087. Relating to Sumter County; authorizing the Sumter County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1087, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1085 and 1087—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Beasley (With Notice and Proof):

H. 1033. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gordon, in Houston County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1033, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1033—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Hill and Knight (With Notice and Proof):

H. 1002. To alter and rearrange the boundaries of the city of Helena in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1002, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Knight and Hill (With Notice and Proof):

H. 1064. To levy a lodgings tax in Shelby County, to provide for the collection and distribution of said tax, and to provide that the net proceeds of said tax shall be used exclusively for the support and promotion of tourism and industry in Shelby County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1064, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1002 and 1064—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Knight and Hill (With Notice and Proof):

H. 1000. To alter and rearrange the boundaries of the city of Pelham in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1000, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Knight and Hill (With Notice and Proof):

H. 1001. Relating to Shelby County, to amend Act 82-693, 1982 2nd Special Session (Acts of Alabama for the 1st, 2nd, 3rd Special Sessions of 1982, p. 144) as amended, so as to remove the requirement that members of the Shelby County Planning Commission shall be a free-holder in the county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1001, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1000 and 1001—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Harper (With Notice and Proof):

H. 1030. Providing for the Judge of Probate to assess an additional surcharge at the rate of \$10.00 per instrument for all documents submitted for recordation in Probate Court which are subject to a deed or mortgage tax, and providing for these funds and any interest thereon, to be appropriated to the Mobile County General Fund on a monthly basis to be used for general county purposes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1030, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1030—to the Committee on Local Legislation No. 3



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Slaughter, White (G), Seibels, and McClain (With Notice and Proof):

H. B. 941. Relating to Jefferson County; providing that the county commission or other like governing body of such county shall have the power to levy and collect additional excise taxes, alcoholic beverage taxes, use taxes and privilege license taxes on any business, calling or profession; providing that any such tax levied by said governing body shall become law either with or without a referendum in the sole discretion of said governing body; providing for the disposition of the proceeds of such taxes; and repealing conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 941, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 941—to the Committee on Local Legislation No. 2

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Blake (With Notice and Proof):

H. 998. Relating to St. Clair County; to amend Section 1 of Act No. 80-280, S. 459, 1980 Regular Session (Acts 1980, p. 394), which provides for the hiring of certain personnel in the office of the sheriff in said county and prescribing salaries for such personnel, so as to provide further for the hiring of additional deputies and compensation.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 998, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 998—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Dillard (With Notice and Proof):

H. 1060. Relating to Lawrence County; to levy an additional filing fee in all cases filed in the probate, municipal, district or circuit courts of the county to be deposited in the Lawrence County Law Library Fund.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1060, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Penry and McMillan (With Notice and Proof):

H. 1073. Relating to Baldwin County; regulating construction setback from the rights-of-way of any public highways, state or county, located outside the corporate limits of any municipality in Baldwin County, and the construction or erection of any outdoor signs, advertising or permanent improvements thereon; providing for an appeal process and certain exceptions; authorizing the county planning and zoning commission to issue certain rules and regulations necessary for the implementation of this act; and prescribing that the provisions of this act shall be cumulative to any and all other provisions of law relating to public roads and bridges in Baldwin County, except to the extent there is a direct conflict herewith.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1073, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1060 and 1073—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Clark (W) (With Notice and Proof):

H. 1003. Relating to the City of Mobile in Mobile County; authorizing the governing body to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2 A.M., except between the hours of 9 A.M. and 12 noon; authorizing said governing body to establish within its corporate limits the hours of sale of alcoholic beverages on Sunday after 2 A.M., except between 9 A.M. and 12 noon; and providing for the sale by retail licensees of the alcoholic beverage control board.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1003, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1003—to the Committee on Local Legislation No. 3

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Harper (With Notice and Proof):

H. 1028. Authorizing the Mobile County Commission to borrow money for general county purposes, and providing for the repayment thereof.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1028, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Harper (With Notice and Proof):

H. 1029. Relating to Mobile County; authorizing the county commission to levy a business or privilege fee on certain businesses.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1029, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1028 and 1029—to the Committee on Local Legislation No. 3

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Lindsey (With Notice and Proof):

H. 1036. To authorize a procedure whereby the Sheriff of Cleburne County, Alabama, shall offer for public auction to the highest bidder for cash abandoned and stolen personal and unidentifiable property which has been recovered by the Sheriff's Department of Cleburne County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two (2) weeks in a newspaper of general circulation published in Cleburne County, Alabama, or by posting in a conspicuous place at the Cleburne County Courthouse; to provide that the first publication or posting of said notice shall be twenty (20) days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Cleburne County, Alabama, may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of Cleburne County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1036, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1036—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Reps. Black and Blakeney (With Notice and Proof):

H. 952. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Butler, in Choctaw County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 952, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Hamilton (With Notice and Proof):

H. 999. Relating to Lauderdale County, to provide further for the compensation of the members of the county board of education, to provide retroactive effect and to repeal certain acts.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 999, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 952 and 999—to the Committee on Local Legislation No. 1

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Laird (With Notice and Proof):

H. 1046. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Roanoke, in Randolph County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1046, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. McMillan (With Notice and Proof):

H. 1053. Relating to Baldwin County; to authorize the Baldwin County Commission to impose excise taxes on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Baldwin County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Baldwin County Commission for the collection of said taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1053, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1046 and 1053—to the Committee on Local Legislation No. 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Turnham and Slaughter:

H. 735. To amend section 11-81-11 of the Code of Alabama 1975, as heretofore amended, to permit the sale of bonds issued under the authority of Chapter 81 of Title 11 of the Code of Alabama 1975, as amended, to be sold at public or private sale as the governing body of the municipality or county may determine.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 735—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1025. To make an appropriation from the State General Fund to the Department of Finance for the Retired Senior Volunteer Program for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1025—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1023. To make an appropriation from the State General Fund to the Elyton Recovery Center for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1023—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Marks and Parker:

H. 1039. Proposing an amendment to the Constitution of 1901, as amended, relating to Morgan County and the levy of ad valorem taxes which exist or which hereafter are enacted.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1039—to the Committee on Local Legislation No. 1

(The above Bill was read a first time at length as required by the Constitution.)

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1024. To make an appropriation from the State General Fund to certain Industrial Parks for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1024—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1021. To make an appropriation from the State General Fund to certain historical sites for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1021—to the Committee on Finance and Taxation



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1022. To make an appropriation from the State General Fund to the Beacon House-Jasper for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1022—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1026. To make an appropriation from the State General Fund to the Civil Air Patrol for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1026—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1027. To make an appropriation from the State General Fund to the Commission on Aging for the Care Assurance System for the Aging and Homebound for the fiscal year ending September 30, 1988, and to require

an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1027—to the Committee on Finance and Taxation

### BUDGET ISOLATION RESOLUTION

Senator deGraffenried, B. I. R., H. B. 320, adopted.

Yeas 20; Nays 1.

Yeas:

Senators:	Cabaniss	Drinkard	Langford
Amari	Campbell	Foshee	Menton
Barron	Covington	Goodwin	Parsons
Bedford	deGraffenried	Holmes	Smith (B)
Bennett	Denton	Horn	Smith (J)
Bishop			

—20

Nay: Senator Hale

—1

### RESOLUTION

Senators Goodwin, Foshee, Drinkard, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Corbett, deGraffenried, Denton, Dial, Dixon, Ellis, Figures, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Resolution, to-wit:

S. R. 185. WISHING SENATOR JESSE FOY "PUNK" COVINGTON A HAPPY BIRTHDAY.

Which was adopted.

### SPECIAL ORDER

### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 320. To require the state board of education to adopt standards for local public school systems in the management and supervision of the program areas of finance and student achievement and to ensure that standard accountability as reflected through performance levels specified by the state board of education and verified through monitoring activities including on site visitation and audits of reports submitted by local public school systems; and to provide for intervention to limit and/or supersede local board of education and local superintendent authority when standards are not being met as final assurance of compliance.

Senator deGraffenried offered the following substitute for the Bill, H. B. 320, to-wit:

**SUBSTITUTE FOR H. B. 320**

**A BILL  
TO BE ENTITLED  
AN ACT**

To require the state board of education to adopt standards for local public school systems in the management and supervision of the program areas of finance and student achievement and to ensure that standard accountability as reflected through performance levels specified by the state board of education and verified through monitoring activities including on site visitation and audits of reports submitted by local public school systems; and to provide due process to local school boards prior to the State Superintendent of Education recommending reasonable action to the State Board of Education to remedy any educational deficiency when standards are not being met as final assurance of compliance.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. This Act shall be known as the Public School Standards and Compliance Act.

Section 2. For purposes of this act, the following terms shall have the respective meanings ascribed to them by this section.

(1) Standards. The operational guidelines adopted by the state board of education, upon the recommendation of the state superintendent of education, to ensure that local public school systems provide adequate instructional and school management services at an acceptable level of performance or goal attainment.

(2) Monitoring. Monitoring is the onsite review of standard activities by a monitoring team selected from professional educators and other professionals, and audits of school system reports to determine if acceptable levels of standard attainment are being achieved by local public school systems.

(3) Minimum Performance Level. A base level of acceptable standard performance by a local public school system. Acceptance of a minimum standard of performance does not preclude school systems from establishing higher performance standards.

(4) Education Improvement Plan. Local public school systems with standard deficiencies must develop an educational improvement plan that identifies the school system deficiencies and remediation procedures to be instituted as corrective measures. Plans must be adopted and submitted by the local board of education and approved by the state superintendent of education.

(5) Educationally Deficient School System. School systems which do not meet minimum standard requirements in the program areas of finance and/or student achievement may upon the recommendation of the state superintendent of education be declared "deficient" by action of the state board of education.

(6) Action by State Board of Education. Prior to taking any action against any local board of education for failing to meet minimal standards,

the State Board of Education shall follow the procedures set forth in Sections 7 and 9 of this Act.

(7) Local school system. A tax supported public school system, but not any private or church operated school or school system.

Section 3. The state board of education upon the recommendation of the state superintendent of education shall appoint a standards committee. The committee shall be composed of an equal number of representatives selected from a list of ten persons submitted for consideration by each of the following organizations: Alabama Association of School Administrators, Alabama Association of School Boards, Alabama Council for School Administration and Supervision, the Alabama Education Association, and the Alabama Congress of Parents and Teachers. The State Superintendent of Education shall appoint additional members from the business and industry community and from the public at large. The state superintendent of education shall appoint appropriate state department of education personnel to serve as resource persons to the committee. The responsibility of the standards committee shall be to develop specific standards which shall reflect program accountability through the inclusion of performance activities and minimum performance levels required of all local public school systems in the program areas of finance and student achievement and make their recommendations to the state superintendent of education.

Section 4. The standards adopted by the state board of education shall serve as program requirements for local public school systems in the program areas of finance and student achievement. The state board of education upon the recommendation for the state superintendent of education shall adopt the standards no later than January 1988.

Section 5. The state superintendent of education, upon approval by the state board of education shall ensure accountability of all operational standards by providing for onsite visitation by professionals and audit of performance reports submitted by local public school systems, to determine if minimum performance standards are being maintained by all local public school systems.

Local public school systems that meet or exceed the requirements contained within instructional standards shall be encouraged and allowed to pursue innovative instructional programs. The pursuit of these innovations may necessitate that exemptions from existing state board of education policies and/or standards be granted.

The local public school system superintendent with the official approval of local board of education members may file an application for instructional exemptions to the state superintendent of education. The application should include the specific exemption sought, the objective of and the anticipated benefit to the school system, method of documenting results, and length of time the exemption is requested. School systems not meeting minimum standard requirements in the program areas of finance and student achievement shall be cited by the state board of education and may be declared educationally deficient in operational standard areas not meeting minimum standard levels. Local public school systems with operation standard deficiencies shall, with consultation from the state superintendent of education, develop an educational improvement plan designed to correct identified deficiencies and specify a time frame for implementation. All educational improvement plans shall be adopted and submitted by the local board of education and approved by the state superintendent of education.

Section 6. Each local public school system shall prepare an annual educational status report in compliance with standards established by the state board of education upon recommendation of the state superintendent of education.

Section 7. Failure by a local public school system to comply with adopted standards, state board of education policy, rules and regulation, shall be grounds for the state superintendent to take reasonable action to obtain compliance with said standards, policy, rule or regulation. Any decision to withhold funds for non compliance shall require approval of the state Board of Education after full compliance with the following procedures:

(1) Notify the local Boards of Education in writing of any failure of compliance.

(2) Require the local Board of Education to develop and submit a compliance plan.

(3) Provide technical and other assistance as needed.

(4) Determine through program review the progress made in compliance.

(5) Determine that compliance cannot or will not be met under existing conditions.

(6) Provide for a public hearing before the state Board of Education.

Section 8. Local public school systems determined to be educationally deficient in the program areas of finance and/or student achievement shall be provided training and technical assistance commensurate with standard deficiencies. Consultation, training and technical assistance shall be made available by the state superintendent of education to local school systems for improvement plan development, direct instructional assistance, supervision of programs, and/or administration and planning of school operations. Technical assistance and monitoring activities will continue over the specified period of time allowed in the education improvement plan or until it is determined that the local public school system is unable or unwilling to make necessary corrections and operate the school system as required by operational standards.

Section 9. Failure by an educationally deficient school system to implement the approved educational improvement plan within the time frame established by the educational improvement plan based on the severity of the deficiencies, resources available, and repeated consultation and technical assistance from the state department of education, shall be grounds for the state superintendent, with the approval of the state board of education, to declare the school system either educationally or financially deficient and take reasonable action to remedy the deficiency. Prior to such action the state superintendent shall: (1) notify the local board of education in writing of any program deficiencies; (2) require the development and submission of an educational improvement plan by the local board of education and approved by the state superintendent of education; (3) provide technical and other assistance as needed; (4) determine through program review progress made in implementation of educational improvement plan and that the standards cannot or will not be met under existing conditions; (5) and provide for a public hearing before the state board of education.

Section 10. This Act shall become effective only after final enactment of House Bill 319 as introduced in the 1987 Regular Session of the Alabama

Legislature, or such similar legislation providing for city and county school boards to call a referendum on the question of levying additional taxes for school purposes, and after voter approval of a constitutional amendment providing for such authority.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with the Act are hereby repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Senator Ellis offered the following amendment to the substitute for the Bill, H. B. 320, to-wit:

#### **AMENDMENT TO SUBSTITUTE FOR H. B. 320**

Amend Senate Substitute for H. B. 320 at page 3, line 14 by adding, after the word "shall" the following:

" , upon the approval of such standards by the Legislative Council,"

#### **ADJOURNMENT**

The hour of Midnight having arrived, in accordance with Resolution heretofore adopted, the pending further consideration of the Bill, H. B. 320, the Senate was declared adjourned until Wednesday, July 15, 1987, at 12:01 A.M.

## **TWENTY-SEVENTH LEGISLATIVE DAY**

**WEDNESDAY, JULY 15, 1987**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend Jiles Williams, Jr., Pastor, New Providence Baptist Church, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Bill Livingston, Senate Staff, Montgomery, Alabama.

### **ROLL CALL**

Present:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Mitchem	
Barron	deGraffenried	Hale	Parsons	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Hilliard	Rice	
Bennett	Dixon	Holmes	Sanders	
Bishop	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	—35

### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

Yeas 22; Nays 3.

*Yeas:*

Senators:	Campbell	Foshee	Langford	
Amari	Covington	Goodwin	Parsons	
Bailey	deGraffenried	Hale	Sanders	
Bedford	Denton	Hilliard	Smith (B)	
Bishop	Drinkard	Holmes	Smith (J)	
Cabaniss	Ellis	Horn		—22

*Nays:*

Senators:	Corbett	Figures	Rice	—3
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### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for

the Twenty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JIM SMITH,  
Chairperson.

### COMMITTEE REPORT

On motion of Senator Smith (J), the foregoing report was concurred in and the Journal of the Senate for the Twenty-Sixth Legislative Day was approved by the Senate.

### UNFINISHED BUSINESS

#### BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 320. To require the state board of education to adopt standards for local public school systems in the management and supervision of the program areas of finance and student achievement and to ensure that standard accountability as reflected through performance levels specified by the state board of education and verified through monitoring activities including on site visitation and audits of reports submitted by local public school systems; and to provide for intervention to limit and/or supersede local board of education and local superintendent authority when standards are not being met as final assurance of compliance.

The question was on the Ellis amendment to the deGraffenried substitute, both of which are set out in the Journal of the Senate for the Twenty-Sixth Legislative Day.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 295. Relating to the City of Scottsboro, Alabama; to prohibit the hunting of ducks, geese and all other waterfowl within certain areas of the Roseberry Embayment.

Also:

S. 493. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa, further amending Act No. 328, H. 854, 1959 Regular Session, which provides for the adjustment of benefits for sickness or other disabilities, or retirement for disability, so as to provide revised amounts for monthly benefits for temporary disability arising as a result of service in departments or any disability occurring after ten years of service in the departments, and retirement for permanent disability, amend the payments to dependents, clarify the limitations on amount of pension benefits, and to provide certain benefits to individuals who are receiving benefits under Act No. 187, S. 339, 1951 Regular Session.



Also:

S. 570. Relating to Tuscaloosa County; amending Sections 1 and 2 of Act No. 81-936, H. 50, 1981 First Special Session (Acts 1981, p. 88) as amended by Act No. 85-571, H. 1005, 1985 First Special Session (Acts 1985, p. 875), relating to the compensation and expense allowance for the Sheriff of Tuscaloosa County, so as to further provide for an additional expense allowance and expiration date therefor and the Sheriff's compensation, in the next term of office for Sheriff.

Also:

S. 611. To provide in Walker County for the incorporation of the Walker County Industrial Port Authority to own and operate the docks in Cordova; to provide for the management of said Authority by a board of directors; to provide for the appointment and term of office for such board of directors; to prescribe the powers and duties of the Authority; and to provide that this act shall take effect upon the conveyance of the state docks in Cordova to the Walker County Commission as authorized by Amendment No. 454 to the Constitution of Alabama of 1901.

JIM SMITH,  
Chairperson.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 300. To amend Section 9-17-6, Code of Alabama 1975, which relates to the state oil and gas board, so as to authorize the board to regulate enhanced recovery methods, including Class II injection wells; and to delegate power and authority to a hearing officer; to amend Section 9-17-24, Code of Alabama 1975, which provides for notification and filing fees prior to drilling wells, so as to authorize the board to collect filing fees and application fees, to establish the Alabama State Oil and Gas Board special fund, and to provide that well permit fees, filing fees and application fees shall be paid into the State Oil and Gas Board Special Fund.

Also:

S. 490. Renaming the Plumbers Examining Board established by Act No. 529 of the 1949 Regular Session of the Legislature (Acts 1949, p. 827), as amended; continuing the existence of such board; authorizing such board to exercise certain statewide licensing authority over plumbers and gas fitters;

defining certain terms relating to plumbing and gas fitting as used in this act; prescribing procedures for appointing successors to the current members of such board; prescribing regulations relative to the scope of authority of local and state licenses issued to plumbers and gas fitters; prescribing procedures for the testing and licensing of plumbers and gas fitters under this act; providing for the compensation and expenses of the members of such board and its hired or contracted employees; authorizing such board to adopt a fee schedule; prescribing procedures for revoking licenses; authorizing such board to enter into certain reciprocity agreements with other states; prescribing penalty for violation of this act and providing for supplemental effect.

Also:

S. 536. To require the state to provide subsidized child day-care services for a certain minimum number of eligible children, and to provide for a conditional, supplemental appropriation for fiscal year beginning October 1, 1987, for a certain amount of additional eligible children.

JIM SMITH,  
Chairperson.

#### **FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment to the deGraffenried substitute.

#### **BILL RE-REFERRED**

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee in session, had acted on the following Bill, H. B. 762, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 762, to the Standing Committee on Judiciary.

#### **REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 167. NAMING A PORTION OF STATE HIGHWAY 18 IN HONOR OF MAX NEWMAN OF MILLPORT, ALABAMA.

Also:

S. J. R. 172. URGING THE JEFFERSON COUNTY COMMISSION TO PROVIDE OFFICE SPACE IN THE COUNTY SEAT FOR THE SHERIFF.

Also:

S. J. R. 177. MOURNING THE DEATH OF ROBERT DAVID ROLINS OF MONTGOMERY, ALABAMA.

JIM SMITH,  
Chairperson.

### **SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

### **FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment to the deGraffenried substitute.

### **RESOLUTIONS**

Senator Cabaniss offered the following Senate Resolutions, to-wit:

S. R. 186. COMMENDING MR. AND MRS. B. B. LASSITER ON THEIR 50TH WEDDING ANNIVERSARY.

Also:

S. R. 187. COMMENDING MR. AND MRS. RUFUS OTIS WELLS ON THEIR 60TH WEDDING ANNIVERSARY.

Which were filed.

### **FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment to the deGraffenried substitute.

### **RECESS**

At 3:25 P.M., on motion of Senator deGraffenried, the Senate took a recess subject to the call of the Chair.

At 8:50 P.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

### **FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment to the deGraffenried substitute.

### **INTRODUCTION OF BILLS**

On motion of Senator Bedford, Rule 11 was suspended and he was granted permission to introduce the following Bill, which was read one time and referred to appropriate standing committee, as follows:

By Senator Bedford:

S. 737. Relating to civil liability for selling or otherwise furnishing alcoholic beverages unlawfully; to provide liability for selling, giving or otherwise disposing of alcoholic beverages to a minor or in an unlawful manner to a person causing intoxication; to provide for compensatory and punitive damages; to provide liability for sales by the person, corporation, or other

entity itself or by or through its agents, servants and employees; to amend Sections 6-5-70 and 6-5-71, Code of Alabama 1975, relating to civil actions for such liability; and to repeal all laws or parts of law in conflict herewith.

Committee on Judiciary.

### FURTHER CONSIDERATION OF H. B. 320

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment to the deGraffenried substitute.

On motion of Senator deGraffenried, said Ellis amendment No. 1 was laid on the table.

Yeas 16; Nays 9.

*Yeas:*

Senators:	Campbell	Drinkard	Langford	
Bedford	Corbett	Foshee	Menton	
Bennett	deGraffenried	Goodwin	Parsons	
Bishop	Denton	Horn	Smith (J)	
Cabaniss				—16

*Nays:*

Senators:	Dial	Hale	Mitchem	
Bedsole	Dixon	Manley	Rice	
Covington	Ellis			—9

Senator Ellis then offered the following amendment No. 2 to the deGraffenried substitute for the Bill, H. B. 320, to-wit:

### AMENDMENT NO. 2 TO SUBSTITUTE FOR H. B. 320

Amend Senate Substitute for H. B. 320, page 4, by deleting lines eighteen through twenty and substituting therefor the following:

"obtain compliance with said standards, policy, rules or regulation. The state superintendent shall, however, have no power to abrogate any appropriation of funds or withhold any funds appropriated by the Legislature to or for the benefit of said local public school system. Prior to the state superintendent taking any action permitted by this section to obtain compliance, the state Board of Education shall fully comply with the following procedures:"

### RESOLUTION

Senators Bedford, Hale, Drinkard, and Corbett offered the following Senate Resolution, to-wit:

S. R. 188. NOTING WITH COMMENDATION THE FORTHCOMING "FREE STATE OF WINSTON FESTIVAL," July 23-25.

Which was filed.

### FURTHER CONSIDERATION OF H. B. 320

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 320, and pending amendment and substitute, was postponed subject to the call of the Chair.

### REPORTS OF COMMITTEES

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Mitchem and Barron:

S. 683. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Sports Festival for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Barron:

S. 684. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Student Grant Program for the fiscal year 1987-88.

By Senators Corbett and Hilliard:

S. 685. To make an appropriation from the Alabama Special Educational Trust Fund to Tuskegee University for the Small Farm Development and Assistance Program for the fiscal year 1987-88.

By Senator Bishop:

S. 686. To make a conditional appropriation from the Special Educational Trust Fund to Faulkner University.

By Senator Horn:

S. 720. To make an appropriation from the Alabama Special Educational Trust Fund to the Dallas County Day Care and Training Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 721. To make an appropriation from the Alabama Special Educational Trust Fund to the North Talladega County Association for Retarded Citizens, Inc. for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 722. To make an appropriation from the Alabama Special Educational Trust Fund to the South Talladega County Association for Retarded Citizens, Inc. for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 723. To make an appropriation from the Alabama Special Educational Trust Fund to the Vivian B. Adams School for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 724. To make an appropriation from the Alabama Special Educational Trust Fund to the Alan Cott School for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 725. To make an appropriation from the Alabama Special Educational Trust Fund to the Butler County Training School for the Mentally Retarded in Greenville for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 726. To make an appropriation from the Alabama Special Educational Trust Fund to the Hope Haven School in Colbert County for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 727. To make an appropriation from the Alabama Special Educational Trust Fund to the Birmingham Training Center for Brain-Injured Children for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 728. To make an appropriation from the Alabama Special Educational Trust Fund to the Montgomery Institute of Neurological Development for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 729. To make an appropriation from the Alabama Special Educational Trust Fund to the McGraw Activity Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 730. To make an appropriation from the Alabama Special Educational Trust Fund to the Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 731. To make an appropriation from the Alabama Special Educational Trust Fund to the Calhoun County Community—"EDUCATION PAR EXCELLENCE" for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 732. To make an appropriation from the Alabama Special Educational Trust Fund to the Geneva County Day Care and Training Center for

the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 733. To make an appropriation from the Alabama Special Educational Trust Fund to the Alice Pigman School for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 734. To make an appropriation from the Alabama Special Educational Trust Fund to the McInnis School of Montgomery for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 735. To make an appropriation from the Alabama Special Educational Trust Fund to the ECHO FOUNDATION for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Drinkard (With Notice and Proof):

S. 706. To fix the fee for the issuance of pistol permits in Etowah County; to provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund; to provide for the use of such fund; and to provide that this act shall be retroactive to January 19, 1987.

By Senator Drinkard (With Notice and Proof):

S. 707. Relating to Etowah County; providing for the distribution of fire protection net tax revenues generated pursuant to Amendment No. 445, Amendment of Amendment 432, which authorized the levy of such tax and the distribution to volunteer fire departments for such protection and services, so as to provide for the manner of such distribution together with any earned interest thereon.

By Senator Hale (With Notice and Proof):

S. 717. Relating to Madison County; amending Act No. 488, H. 706, 1978 Regular Session, which provides for the county work release program so as to provide that any person released from jail shall pay to the county a sum equal to 25% of his or her gross earnings earned while so released.

By Senator Hale (With Notice and Proof):

S. 718. Relating to Madison County, Alabama; amending Act No. 488, H. 706, 1978 Regular Session, which provides for the county work release program so as to provide for a nine member commission to include the chairman of the Madison County Commission.

By Senator Smith (B) (With Notice and Proof):

S. 719. Relating to Madison County; to provide that the Probate Judge shall not receive for record or permit the recording of any instrument,

conveying title or any interest in real property that does not have legibly printed, typewritten or stamped thereon the Grantee's name and latest complete address.

By Rep. Butler (With Notice and Proof):

H. 977. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Huntsville, in Madison County.

By Rep. Thomas (With Notice and Proof):

H. 1088. Relating to Lowndes County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Lowndes County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Lowndes County Commission for the collection of said taxes.

By Rep. Thomas (With Notice and Proof):

H. 1090. Relating to Lowndes County; authorizing the Lowndes County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

By Rep. Thomas (With Notice and Proof):

H. 1091. Relating to Lowndes County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

By Rep. Warren (With Notice and Proof):

H. 996. To fix the fee for the issuance of pistol permits in Monroe County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

By Rep. Warren (With Notice and Proof):

H. 997. To fix the fee for the issuance of pistol permits in Conecuh County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

By Rep. Hamilton (With Notice and Proof):

H. 999. Relating to Lauderdale County, to provide further for the compensation of the members of the county board of education, to provide retroactive effect and to repeal certain acts.



**REGULAR SESSION  
27th Day**

1811

By Reps. Moon and Rains (With Notice and Proof):

H. 1009. Relating to Marshall County; requiring all lodging facilities located in Lake Guntersville State Park to collect certain lodgings taxes as provided by law.

By Rep. Headley (With Notice and Proof):

H. 1012. Relating to Bibb County; to authorize the West Alabama District Board of Health to designate the services rendered by the Bibb County Health Department for which a reasonable fee may be charged. The West Alabama District Board of Health is further required to set a maximum fee for each service. The Bibb County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

By Reps. Moon and Rains (With Notice and Proof):

H. 1013. To fix the fee for the issuance of pistol permits in Marshall County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

By Rep. Bowling (With Notice and Proof):

H. 1016. Relating to Cullman County; providing for the county governing body to reimburse the offices of the revenue commissioner and the probate judge for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing that such funds shall be payable from the general fund of the county.

By Reps. Moon and Rains (With Notice and Proof):

H. 1017. Relating to Marshall County; authorizing the Marshall County Commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and distribution of the proceeds therefor; providing for an advisory referendum on the issue of adding such additional county tax; prescribing misdemeanor penalties against those who violate the provisions of this act; and construing that the provisions of this act are cumulative.

By Rep. Melton (With Notice and Proof):

H. 742. To authorize the City of Tuscaloosa, Tuscaloosa County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

By Rep. Adams (With Notice and Proof):

H. 993. Relating to Russell County; to amend Section 8 of Act No. 85-386, H. 540 of the 1985 Regular Session (Acts 1985, p. 332), relating to levying an additional sales tax, so as to provide further for the termination of any tax levied under the authority of this act.

By Rep. Adams (With Notice and Proof):

H. 994. Relating to Russell County; to provide that the county commission may authorize two additional deputies to be employed by the sheriff.

By Rep. Adams (With Notice and Proof):

H. 995. Relating to selling and redeeming lands for taxes in Russell County, Alabama.

By Rep. Reed (With Notice and Proof):

H. 938. Relating to Bullock County; providing further for the expense allowances for certain county officials to be paid at the discretion of the county commission.

By Reps. Black and Blakeney (With Notice and Proof):

H. 952. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Butler, in Choctaw County.

By Rep. Clark (J) (With Notice and Proof):

H. 983. Relating to Barbour County, to authorize the county commission to levy and collect certain taxes and fees, and to provide for the disposition of any proceeds from such taxes and fees.

By Rep. Reed (With Notice and Proof):

H. 987. Relating to Macon County; providing for an elected chairman for the Macon County Commission; prescribing procedures for the election of such chairman; prescribing procedure whereby the county commission shall decide whether such elected chairman shall be a part-time chairman or a full-time chairman; prescribing the salary and term of office of such county commission chairman; providing a certain expense allowance for such county commission chairman; providing for an interim chairman of the county commission if one becomes necessary and providing that this act shall have certain supplemental effect.

By Rep. Hammett (With Notice and Proof):

H. 1014. Relating to Covington County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as the county revenue commissioner; abolishing the offices of tax assessor and tax collector in said county; prescribing the duties and compensation of such commissioner; providing for a motor vehicle license division within the revenue commissioner's office; prescribing duties and procedures for such division; providing for an optional procedure for the renewal of motor vehicle licenses by mail; authorizing certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail; providing that this act shall become effective only if approved at a referendum election and providing for an effective date.

By Reps. Moon and Rains (With Notice and Proof):

H. 1018. Establishing the powers and authority and requirements of district attorney's investigators of the twenty-seventh judicial circuit of Alabama.

By Reps. Moon and Rains (With Notice and Proof):

H. 1031. Relating to Marshall County; to amend Section 1 of Act No. 588, S. 838, 1977 Regular Session (Acts 1977, p. 781), which provides for the sheriff's employees and deputies, so as to provide further for their number, compensation and clothing allowance; to repeal conflicting acts including Acts No. 621, S. 720, and No. 630, H. 1289, 1976 Regular Session (1976 Acts, pgs. 854 and 868).

By Rep. Beasley (With Notice and Proof):

H. 1033. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gordon, in Houston County.

By Rep. Lindsey (With Notice and Proof):

H. 1035. To promote the maintenance of Cleburne County's natural beauty by eliminating unsightly and unhealthy litter; to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified; to grant power and authority to the Cleburne County Health Department to enforce littering laws in Cleburne County; and to prescribe fines for violations.

By Rep. Lindsey (With Notice and Proof):

H. 1036. To authorize a procedure whereby the Sheriff of Cleburne County, Alabama, shall offer for public auction to the highest bidder for cash abandoned and stolen personal and unidentifiable property which has been recovered by the Sheriff's Department of Cleburne County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two (2) weeks in a newspaper of general circulation published in Cleburne County, Alabama, or by posting in a conspicuous place at the Cleburne County Courthouse; to provide that the first publication or posting of said notice shall be twenty (20) days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Cleburne County, Alabama, may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of Cleburne County, Alabama.

By Reps. Marks and Parker:

H. 1039. Proposing an amendment to the Constitution of 1901, as amended, relating to Morgan County and the levy of ad valorem taxes which exist or which hereafter are enacted.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Marks and Parker (With Notice and Proof):

H. 1040. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

By Reps. Marks and Parker (With Notice and Proof):

H. 1041. Relating to Morgan County; to authorize the Morgan County Commission to impose an additional excise tax on persons, corporations, partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county not to exceed one (1) cent additional tax per gallon; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Morgan County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Morgan County Commission for the collection of said taxes; and to provide such taxes shall be supplemental to any and all other such taxes.

By Reps. Moon and Rains (With Notice and Proof):

H. 1056. Relating to Marshall County; providing that the Marshall County Commission shall be authorized to levy sales and use taxes paralleling the state sales and use taxes with the same exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing that there shall be excluded from any such levy any incorporated municipality in Marshall County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

By Reps. Moon and Rains (With Notice and Proof):

H. 1057. Relating to Marshall County; approving an increase of the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the City of Arab School District (the boundaries of which district are coterminous with the corporate limits of said city) in Marshall County from the present millage to thirteen mills, all in accordance with Amendment No. 373 to said Alabama Constitution; such increased district ad valorem tax to be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year will be due and payable October 1, 1992) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said City of Arab School District at a special election called and held in accordance with the laws governing special elections.

By Reps. Moon and Rains (With Notice and Proof):

H. 1058. Relating to Marshall County; authorizing an increase in the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the Marshall County Tax District (commonly referred to as District No. 1 and consisting of all of said county except the City of Guntersville, the City of Albertville and the City of Arab school districts) in said county in accordance with Amendment No. 373 to said Constitution of Alabama 1901; providing that such increased district ad valorem tax shall be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year shall be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year shall be due and payable October 1, 1992) for public school purposes and providing that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said Marshall County School Tax District in a special referendum election called and held for such purpose in accordance with the laws governing special elections.

By Rep. Dillard (With Notice and Proof):

H. 1060. Relating to Lawrence County; to levy an additional filing fee in all cases filed in the probate, municipal, district or circuit courts of the county to be deposited in the Lawrence County Law Library Fund.

By Rep. Black:

H. 980. To propose an amendment to the Constitution of Alabama 1901, as amended, for Greene County to provide further for filling certain vacancies in certain county offices.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Lindsey (With Notice and Proof):

H. 1105. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

By Rep. Black (With Notice and Proof):

H. 1100. Relating to Greene County; authorizing the Greene County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

By Rep. Black (With Notice and Proof):

H. 1101. Relating to Greene County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Greene County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this

act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Greene County Commission for the collection of said taxes.

By Rep. Black (With Notice and Proof):

H. 1099. Relating to Greene County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

By Rep. Beasley (With Notice and Proof):

H. 1097. Relating to Henry County; providing for the appointment of the county superintendent of education, and providing for a referendum on the question of whether the electors of the county favor the appointment of the county superintendent of education.

By Rep. Black (With Notice and Proof):

H. 1084. Relating to Sumter County; to establish in the county treasury an Indigent Health Care Fund to be funded by a portion of the proceeds from certain taxes levied in the county; to create an Indigent Health Care Committee and to provide for appointment of membership; and to authorize such committee to manage, approve and make disbursement of such fund for purpose of indigent health care.

By Rep. Black (With Notice and Proof):

H. 1085. Relating to Sumter County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

By Rep. Black (With Notice and Proof):

H. 1087. Relating to Sumter County; authorizing the Sumter County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

By Rep. Black (With Notice and Proof):

H. 1083. Relating to Greene County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

By Rep. Black (With Notice and Proof):

H. 1080. Relating to Sumter County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

By Rep. Black (With Notice and Proof):

H. 1079. Relating to Sumter County; levying a lodging tax, providing for the collection and distribution of said tax.

By Rep. Black (With Notice and Proof):

H. 1082. Relating to Sumter County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged

in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Sumter County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Sumter County Commission for the collection of said taxes.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Hilliard:

S. 713. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, to make the provisions of the retirement and relief system of the City of Birmingham available to the employees of the Birmingham Airport Authority upon election of such coverage by the Birmingham Airport Authority.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Zoghby (With Notice and Proof):

H. 926. Providing for a medical examiner system for the investigation of certain types of deaths in Mobile County, Alabama; abolishing the office of county coroner; prescribing the manner of appointment, qualifications, powers and duties of the county medical examiner; prescribing procedures and requirements relating to postmortem examinations and autopsies of deaths occurring under certain circumstances in the county; requiring that certain deaths shall be reported to either the county medical examiner or a law enforcement agency in said county; providing protection from civil and criminal liability for such medical examiners properly performing their duties; transferring funds and equipment to the medical examiner system; requiring annual reports on such system to be submitted to the county governing body; imposing criminal penalties for certain violations of this act; and specifically repealing: Act No. 871, H. 1115 Regular Session 1951; Act No. 462, H. 862 Regular Session 1951; Act No. 563, S. 427 Regular Session 1943; Act No. 35, H. 198 and Act No. 36, H. 199 Special Session 1933; and Act No. 153, Regular Session 1866, all relating to the coroner or the operation of the coroner's office in Mobile County.

By Rep. Clark (W) (With Notice and Proof):

H. 1003. Relating to the City of Mobile in Mobile County; authorizing the governing body to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2 A.M., except between the hours of 9 A.M. and 12 noon; authorizing said governing body to establish within its corporate limits the hours of sale of alcoholic beverages on Sunday after 2 A.M., except between 9 A.M. and 12 noon; and

providing for the sale by retail licensees of the alcoholic beverage control board.

By Rep. Zoghby (With Notice and Proof):

H. 1004. Relating to compensation of the Mobile County Treasurer; amending Section 1 of Act No. 80-338, H. 857, Regular Session 1980 (Acts 1980, p. 458) relating to compensation for such officer, so as to further provide therefor.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Turner (With Notice and Proof) (With Amendment):

H. 1006. Relating to Mobile County; directing and requiring the county governing body to provide for holding an advisory election relative to the question of alternative methods of levying additional county taxes to raise revenue for the Mobile County school board for purposes of public education.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Notice and Proof):

H. 1028. Authorizing the Mobile County Commission to borrow money for general county purposes, and providing for the repayment thereof.

By Rep. Harper (With Notice and Proof):

H. 1029. Relating to Mobile County; authorizing the county commission to levy a business or privilege fee on certain businesses.

By Rep. Harper (With Notice and Proof):

H. 1030. Providing for the Judge of Probate to assess an additional surcharge at the rate of \$10.00 per instrument for all documents submitted for recordation in Probate Court which are subject to a deed or mortgage tax, and providing for these funds and any interest thereon, to be appropriated to the Mobile County General Fund on a monthly basis to be used for general county purposes.

By Rep. Box (With Notice and Proof):

H. 1066. Relating to Mobile County; levying an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection, and distribution of the proceeds of the tax, and of the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable



report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Cosby:

H. 912. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of not less than five nor more than eight aldermen to be elected from districts and a council president to be elected at large.

By Rep. Venable (With Notice and Proof):

H. 1044. Amending Section 1 of Act No. 23, H. 140, Local Acts 1943 (Local Acts 1943, p. 14), as amended, which provides for the election of the Coosa County Superintendent of Education, so as to fill such office by appointment of the county board of education; providing for referendum; and repealing Section 2 of said act relating to the election of such office.

By Rep. Haynes (With Notice and Proof):

H. 1055. Relating to the Twenty-ninth Judicial Circuit, in Talladega County; providing further for the compensation of the district attorney.

By Rep. Cosby (With Notice and Proof):

H. 1062. Relating to Dallas County; amending the title and section 1 of Act No. 415, H. 745, 1978 Regular Session (Acts 1978, p. 412) which act established the Dallas County Law Library Fund, so as to increase certain court costs to be paid to the said Law Library Fund.

By Rep. Johnson (RW) (With Notice and Proof):

H. 1071. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 2 (being all that part of the said county lying South and East of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama, and that portion of the unincorporated area of the county which is under the jurisdiction and control of the Tuscaloosa City Board of Education), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

By Rep. Johnson (RW) (With Notice and Proof):

H. 1072. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 1 (being all that part of the said county lying North and West of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution,

to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

By Senator Sanders (With Notice and Proof):

S. 637. Relating to Greene County; providing revenue by imposing an excise tax, payable by manufacturers, bottlers, distributors or importers of bottled carbonated soft drinks, used, sold, transported or delivered within said county; prescribing the method and manner of the payment and collection of such tax or assessing the tax; providing for distribution of the tax; conferring powers and imposing duties on the department of revenue and those manufacturing, bottling, distributing, selling and transporting bottled carbonated soft drinks; and providing for penalties.

By Senator Sanders (With Notice and Proof):

S. 633. Relating to Greene County; authorizing the Greene County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

By Senator Sanders (With Notice and Proof):

S. 638. Relating to Greene County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Greene County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Greene County Commission for the collection of said taxes.

By Senator Sanders (With Notice and Proof):

S. 692. Relating to Sumter County; to establish in the county treasury an Indigent Health Care Fund to be funded by a portion of the proceeds from certain taxes levied in the county; to create an Indigent Health Care Committee and to provide for appointment of membership; and to authorize such committee to manage, approve and make disbursement of such fund for purpose of indigent health care.

By Senator Sanders (With Notice and Proof):

S. 634. Relating to Greene County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

By Senator Sanders (With Notice and Proof):

S. 635. Relating to Greene County; to provide for the levying of excise and privilege taxes in Greene County on the severing of timber and the processing or manufacturing of forest products, upon every person engaged in any such business; to provide that such taxes paralleling the state forest products privilege and severance taxes shall be collected by the Alabama

**REGULAR SESSION  
27th Day**

1821

department of revenue; to provide for the collection, payment, enforcement and administration of such taxes; to provide for the use of the proceeds of such taxes; to provide for the imposition of interest and civil penalties; and to provide for exemptions.

By Senator Sanders (With Notice and Proof):

S. 693. Relating to Greene County; amending Act No. 84-530, H. 239, 1984 Regular Session, which provides for the distribution of the proceeds from the beer tax, so as to provide further for said distribution.

By Rep. Grouby (With Notice and Proof):

H. 961. Relating to Autauga County; approving and authorizing the Autauga County Commission to levy an increase of the countywide public school ad valorem tax presently being levied pursuant to Amendment No. 3 to the Constitution of Alabama of 1901 at the rate of three mills in Autauga County from the present millage to nineteen mills, all in accordance with Amendment No. 373 to the Alabama Constitution; such increased countywide ad valorem tax to be levied and collected by Autauga County for each year beginning with the levy for the tax year October 1, 1987 to September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year October 1, 2003 to September 30, 2004 (the tax for which year will be due and payable October 1, 2004) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of Autauga County at a special election called and held in accordance with the laws governing special elections.

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

**REPORT OF SECRETARY**

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 295

S. B. 570

S. B. 493

S. B. 611

Delivered to the Governor July 15, 1987, at 12:15 A.M.

S. J. R. 167

S. J. R. 177

S. J. R. 172

Delivered to the Governor July 15, 1987, at 1:20 P.M.

McDOWELL LEE,  
Secretary.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

### ADJOURNMENT

The hour of Midnight having arrived, in accordance with Resolution heretofore adopted, and pending further consideration of the Bill, H. B. 320, the Senate was declared adjourned until Thursday, July 16, 1987, at 12:01 A.M.

## **TWENTY-EIGHTH LEGISLATIVE DAY**

**THURSDAY, JULY 16, 1987**

The Senate met pursuant to adjournment, President Pro Tempore deGraffenried presiding.

### **PRAYER**

The Session was opened with prayer by Senator Roger Bedford, 6th Senatorial District, Russellville, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Miss Lisa Banton, Senate Staff, Montgomery, Alabama.

### **ROLL CALL**

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

—35

### **JOURNAL**

On motion of Senator Manley, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

**JIM SMITH,**  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Smith (J), the foregoing report was concurred in and the Journal of the Senate for the Twenty-Seventh Legislative Day was approved by the Senate.

**UNFINISHED BUSINESS**  
**BILLS ON THIRD READING**

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 320. To require the state board of education to adopt standards for local public school systems in the management and supervision of the program areas of finance and student achievement and to ensure that standard accountability as reflected through performance levels specified by the state board of education and verified through monitoring activities including on site visitation and audits of reports submitted by local public school systems; and to provide for intervention to limit and/or supersede local board of education and local superintendent authority when standards are not being met as final assurance of compliance.

and pending Ellis amendment No. 2, set out in the Journal of the Senate for the Twenty-Seventh Legislative Day, to the deGraffenried substitute, set out in the Journal of the Senate for the Twenty-Sixth Legislative Day.

**REPORTS OF COMMITTEES**

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Marietta, Williams, McMillan, Fuller, Junkins, Penry, Harper, Buskey (JL), Gaston, Kvalheim, Zoghby, Box, Kennedy, Clark (W), and Buskey (JE):

H. 203. To create and establish the "Alabama Convention and Tourist Facilities Act"; to authorize the legislature to appropriate certain sums from gross receipts (based on a prescribed formula after a hearing process by the Director of Finance and information determined by the Director of Finance), to the cities and counties or state agencies, and their entities or authorities, building Eligible Facilities to assist in the payment of the debt service on bonds issued in connection with such facilities; to define the powers and responsibilities of the Director of Finance, the State Treasurer, and the cities and counties or state agencies; and to authorize payments, based on legislative appropriations and to establish the "Convention and Tourist Facilities Fund."

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 1020. To make an appropriation from the State General Fund for certain Waterway Associations for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Drinkard, Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the

following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Campbell and Holley:

H. 838. Relating to banks and banking, which amends Title 5 of the Alabama Code of 1975 by adding Chapter 14A so as to create the "Alabama Credit Card Act of 1987"; provides a short title; provides definitions; authorizes any bank holding company, bank holding company subsidiary, domestic lender or foreign lender, to acquire, own, and control a single credit card bank whose principal place of business is in Alabama subject to the approval of the Superintendent of Banks under certain conditions and limitations; provides the terms and conditions under which a credit card bank may be organized, owned, and controlled; provides for application fees to the Superintendent; provides that in connection with a credit card account any domestic lender or credit card bank may provide in the credit card agreement such finance charges, interest rates, charges for cash advances, charges for exceeding pre-established credit limits, late fees or delinquency charges, premiums on credit life and credit accident and health insurance, annual fees, and other charges and fees, and such other terms and conditions, as the lender and the debtor may agree to from time to time; provides applicable law for regulatory supervision and enforcement authority for credit card banks; provides for applications and filing fees to the Superintendent of Banks; provides that the Superintendent may order credit card banks to cease all operations under certain conditions and may impose civil penalties for failure to abide by such order; provides that the Superintendent may require divestiture of a credit card bank under certain conditions; provides that the Superintendent may promulgate rules and regulations; provides that credit card banks shall be subject to all other banking laws except when any rights, powers, privileges, or provisions thereof are inconsistent with the rights, powers, privileges, provisions, or limitations of Chapter 14A of Title 5; provides that a credit card bank shall not be considered a bank for the purpose of certain banking laws; provides for severability of provisions; provides for the repeal of Section 5-20-1, Code of Alabama of 1975, which establishes fees for credit cards and certain other open-end credit plans, and for the amendment or repeal of conflicting provisions of law and provides an effective date.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 1021. To make an appropriation from the State General Fund to certain historical sites for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1022. To make an appropriation from the State General Fund to the Beacon House-Jasper for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1023. To make an appropriation from the State General Fund to the Elyton Recovery Center for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1024. To make an appropriation from the State General Fund to certain Industrial Parks for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1025. To make an appropriation from the State General Fund to the Department of Finance for the Retired Senior Volunteer Program for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1026. To make an appropriation from the State General Fund to the Civil Air Patrol for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1027. To make an appropriation from the State General Fund to the Commission on Aging for the Care Assurance System for the Aging and Homebound for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Foshee, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 714. To amend Sections 27-40-1, 27-40-12, 27-40-15, and 27-40-17 Code of Alabama 1975, relating to insurance premium finance companies, so as to provide further for the regulation of such companies; to delete all references to designated agents; to provide for disbursement of the amount financed; to provide for time limits for the return of unearned premiums and relieves the insurer from liability therefor; provides for the payment and transmission of premiums; relieves joint and several liability; and to require insurers to be notified within 30 days of the date the premium finance company receives the signed agreement.

By Rep. Adams:

H. 478. To allow official court reporters who are in office on the effective date of this act to elect coverage in the employees' retirement system of Alabama; to provide the time in which the election shall be made; to provide that all official court reporters employed after the effective date shall automatically be included in the employees' retirement system; to provide for



the purchase of up to five years prior service as an official court reporter as creditable service in the employees' retirement system; to amend Section 12-17-290 of the Code of Alabama 1975 so as to provide that a break in service as an official court reporter for the state of Alabama will not affect an official court reporter's eligibility for attaining supernumerary status; to amend Section 12-17-292 of the Code of Alabama 1975 so as to further provide for the salary for supernumerary circuit court reporters; and to provide that supernumerary court reporters' commissions shall be issued by the Secretary of State rather than the Chief Justice.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Rice:

S. 616. To establish the Alabama Impaired Professionals' Committee; to provide that the State Board of Dental Examiners and the Board of Pharmacy shall have certain duties and obligations to promote early identification, intervention, treatment and rehabilitation of the professional within their jurisdictions and impaired by reason of illness, inebriation, excessive use of certain drugs, and controlled substances, alcohol, chemicals or other dependent forming substances, or as a result of physical or mental condition; to define the term impaired; to authorize the State Board of Dental Examiners and the Board of Pharmacy to contract with any nonprofit corporation for the creation of the Alabama Impaired Professionals' Committee; to provide for the functions and responsibilities of the committee under a contract between the State Board of Dental Examiners and the Board of Pharmacy and a nonprofit corporation or health provider professional association; to prescribe procedures for the reporting of information from the Alabama Impaired Professionals' Committee to the respective boards; to prescribe that a professional serving as a member of the Alabama Impaired Professionals' Committee shall not be liable to any person for any claim for damages as a result of any decision, opinion, investigation or action taken as a member of such committee; to provide that a nonprofit corporation or medical or health provider professional association shall not be liable to any person for damages for any action taken by the Alabama Impaired Professionals' Committee or any member thereof; to provide that all information, interviews, reports, statements, memorandum or other documents furnished to or produced by the Alabama Impaired Professionals' Committee and any findings, conclusions, recommendations or reports of such committee shall be privileged and confidential and shall not be considered public records nor available for court subpoena or for discovery proceedings; to provide that the Alabama Impaired Professionals' Committee shall render annual reports to the respective state boards and shall report to the respective professional body any professional, within their respective jurisdiction, currently in the need of intervention, treatment, or rehabilitation who has failed or refused participation in programs of treatment or rehabilitation recommended by the committee; to provide that a report to the Alabama Impaired Professionals' Committee shall deem to be a report to the said boards, for the purpose of any mandated reporting of professional impairment otherwise provided for by law; to provide that where the said boards have cause to believe a dentist or pharmacist is impaired the board may cause an evaluation of such impaired professional to be conducted by the Alabama Impaired Professionals' Committee; to provide for the severability of the provisions of this act; to provide

for cumulative effect; to provide for the repeal of all laws in conflict with this act; and to provide an effective date for this act.

By Reps. Butler, Beasley, Drake, Freeman, Flowers, Hall, White (L), Carothers, and Johnson (RG):

H. 338. To authorize the state board of health to designate and require proper reporting of notifiable diseases; to require reporting of designated notifiable diseases by certain persons and to provide for confidentiality of such reports; to provide for quarantine of certain persons afflicted with a notifiable disease; to require disclosure of certain medical records to the state health officer; to empower the state board of health to investigate and suppress notifiable diseases; to provide for penalties for failure to report notifiable diseases; to require obedience to the lawful orders of health officials regarding notifiable diseases; to require reports of active or suspected active cases of tuberculosis; to provide for commitment, after hearing before the probate judge, of recalcitrant persons infected with tuberculosis; to allow for admission to regional contract tuberculosis hospitals of persons with other types of chronic lung diseases; to provide for treatment by the state board of health of persons infected with tuberculosis; to authorize the state board of health to designate and treat sexually transmitted diseases and to require reporting thereof; to require testing for syphilis of all persons seeking a marriage license; to require sexually transmitted disease serologic testing of all pregnant women and require reporting of positive results; to require testing for designated sexually transmitted diseases of all inmates in correctional facilities and jails and require reporting of positive results; to require confinement, after hearing, of persons with designated sexually transmitted diseases; to remove the disabilities of non-age from minors 12 years or older as to treatment for designated sexually transmitted diseases; to require instruction in measures of preventing designated sexually transmitted diseases; to prescribe the penalty for treating designated sexually transmitted diseases without a license as a physician; to prescribe the penalty for transmitting designated sexually transmitted diseases; to provide for confidentiality of designated sexually transmitted disease records; to require all persons to seek and accept treatment for designated notifiable diseases; to require compulsory testing, treatment and quarantine of persons infected with designated notifiable diseases and who refuse same, after hearing before the probate judge; to prescribe the manner and form of quarantine petitions; to require the probate judge to hear such petitions; to require compulsory attendance at hearings by persons suspected of being infected with designated notifiable disease; to allow for the appointment of attorney and guardian ad litem for persons suspected of having designated notifiable disease; to allow commitment hearings in absentia under certain conditions; to specify the findings that the probate judge must make prior to commitment of persons afflicted with designated notifiable disease; to provide for jurisdiction of probate courts; to provide for payment of fees to court appointed attorneys and guardians ad litem; to provide for appeal from commitment orders; and to allow quarantine of inmates suspected of being infected with designated notifiable disease.

By Reps. Haynes and Rains:

H. 396. Relating to public health; prescribing certain notification requirements for protection of funeral homes and morticians taking custody of corpses known to have been infected with certain diseases; authorizing the state health officer to promulgate and implement rules and regulations to carry out the intent of this act and prescribing penalty for violation.

REGULAR SESSION  
28th Day

1829

By Rep. Carothers:

H. 706. To amend Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, relating to the practice of podiatry, so as to provide for the powers and authority of the board of podiatry; to provide for the qualifications and examination of applicants for a license to practice podiatry; to prescribe additional conduct which shall be deemed unprofessional; to grant the board of podiatry certain subpoena powers; to provide for the conduct of hearings by the board and to grant members of the board of podiatry and certain other persons civil immunity in certain instances.

By Reps. Lindsey, Hall, Junkins, Richardson, and Moon:

H. 414. To amend §2-14-1 by defining the terms "board" and "pest"; to amend §§2-14-2, 2-14-4, 2-14-5, 2-14-6, 2-14-9, 2-14-10, 2-14-11, 2-14-12, 2-14-13 and 2-14-14 by replacing the term "infectious and contagious diseases" to read "pests"; to amend §2-14-11 to allow indemnity to be paid to registered beekeepers upon destruction of their bees and equipment.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Gaston, Harper, Kvalheim, Breedlove, Marietta, Buskey (JE), Clark (W), Kennedy, Zoghby, McMillan, Penry, and Box:

H. 132. To amend Sections 40-23-4 and 40-23-62, Code of Alabama 1975, relating to exemptions from sales and use taxes, so as to provide further for the exemption of the sale of fuel and supplies for certain vessels; the materials, equipment, and machinery which become a component part of vessels; and certain equipment used in offshore federal waters.

Senator Drinkard, Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Davis:

H. 934. To amend Section 19-3-120, Code of Alabama 1975, which provides for the classes of authorized investments, in which trustees, executors, administrators and other fiduciaries may invest, so as to include the African Development Bank within such classes of investments.

By Rep. Davis:

H. 935. To amend Section 27-41-14, Code of Alabama 1975, which provides for investments of life, disability and burial insurance companies, so as to allow said companies to invest in the African Development Bank.

By Reps. Williams, Bowling, Mathis, Beasley, Johnson (RG), Carothers, Higginbotham, Carter, and Slaughter:

H. 903. Relating to the office of state treasurer, to authorize the treasurer to hire one additional employee, not subject to the state merit system, who shall serve at the pleasure of the treasurer; to provide the benefits, rights and privileges of other state employees to the said additional employee; and to authorize the treasurer to set the salary of the additional employee

at an amount not to exceed the maximum payable to assistant department heads in the executive branch of government.

By Rep. Campbell:

H. 250. To amend Sections 7-9-307, 7-9-402, 7-9-403, 7-9-404, and 7-9-407, Code of Alabama, 1975, to create the Uniform Commercial Code and Farm Products Central Index System Fund, to provide for fees relating to farm products and Uniform Commercial Code, to increase the amendatory statement filing fee, to increase the uniform fee for filing an original financing statement so as to include the termination fee, to discontinue the uniform fee for filing and indexing a termination statement for original financing statements filed after October 1, 1987, to empower the Secretary of State to set fees and charge for distributing microfilm reels containing copies of effective financing statements, to empower the Secretary of State to charge a fee for monthly partial listings of the master list of farm products registrants, and to increase the fee for a search certificate, and authorizes the Secretary of State to promulgate regulations and set reasonable fees related to implementation of a central index system and to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.

### FURTHER CONSIDERATION OF H. B. 320

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

### BUDGET ISOLATION RESOLUTION

Senator Figures requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Figures, B. I. R., H. B. 1003, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hale	Parsons
Amari	Cabaniss	Hand	Preuitt
Bailey	Campbell	Langford	Rice
Barron	Corbett	Manley	Sanders
Bedford	Figures	Menton	Smith (B)
Bedsole	Foshee	Mitchem	Smith (J)
Bennett	Goodwin		

—25

Nays:

—0

### BILLS ON THIRD READING RESUMED

THE BILL:

H. 1003. Relating to the City of Mobile in Mobile County; authorizing the governing body to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2 A.M., except between the hours of 9 A.M. and 12 noon; authorizing said governing body to establish within its corporate limits the hours of sale of alcoholic beverages on Sunday after 2 A.M., except between 9 A.M. and 12 noon; and

REGULAR SESSION  
28th Day

1831

providing for the sale by retail licensees of the alcoholic beverage control board.

was read a third time at length and passed.

Yeas 25; Nays 1.

Yeas:

Senators:	Cabaniss	Hale	Parsons
Amari	Campbell	Hand	Preuitt
Bailey	Corbett	Hilliard	Rice
Barron	Covington	Holmes	Sanders
Bedsole	Figures	Horn	Smith (B)
Bennett	Foshee	Langford	Smith (J)
Bishop	Goodwin		

—25

Nay: Senator Bedford —1

**BUDGET ISOLATION RESOLUTION**

Senator Hilliard requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Hilliard, B. I. R., H. B. 549, adopted.

Yeas 25; Nays 2.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons
Bailey	Campbell	Hale	Preuitt
Barron	Corbett	Hilliard	Rice
Bedford	Covington	Manley	Sanders
Bedsole	deGraffenried	Menton	Smith (B)
Bennett	Figures	Mitchem	Smith (J)
Bishop	Foshee		

—25

Nays:

Senators:	Amari	Ellis
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—2

On motion of Senator Hilliard, the Rules were suspended and permission was granted to use a short roll call on third reading of the Bill, H. B. 549.

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 549. To further provide for the regulation of horse racing and pari-mutuel wagering thereon; to amend Sections 11-65-2, 11-65-16, 11-65-19 and 11-65-22, Code of Alabama 1975, relating to the requirements that must be satisfied by any person applying for a license to own or operate a horse racing facility and any person holding or acquiring an interest in the holder of such an owner's or operator's license, so as to eliminate any requirement that any such person (or any director or officer thereof) must be or must have been for any specified period of time a resident of the State of Alabama or must apply for permission to acquire an interest in the owner or operator and any limitation on the percentage of ownership that may be acquired in an owner or an operator by one person or family group; to provide that ownership of an interest in an owner or operator may not be held or acquired

by a disqualified person and to allow a commission to require the disposition of the interest of any person in an owner or operator if such person is a disqualified person; to amend Section 11-65-10, Code of Alabama 1975, relating to the powers and duties of a racing commission; to amend Section 11-65-2, Code of Alabama 1975, to include a definition of a "disqualified person"; and to provide that the provisions of this act shall apply prospectively.

was read a third time at length and passed.

Yeas 25; Nays 3.

*Yeas:*

Senators:	Campbell	Hand	Parsons	
Bailey	Corbett	Hilliard	Preuitt	
Barron	Covington	Langford	Rice	
Bedsole	Figures	Manley	Sanders	
Bennett	Foshee	Menton	Smith (B)	
Bishop	Goodwin	Mitchem	Smith (J)	
Cabaniss	Hale			—25

*Nays:*

Senators:	Amari	Bedford	Ellis	—3
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Senator Hilliard moved that the Senate reconsider the vote by which the Bill, H. B. 549, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### BUDGET ISOLATION RESOLUTION

Senator Preuitt requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Preuitt, B. I. R., H. B. 1055, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Holmes	
Amari	Cabaniss	Foshee	Horn	
Bailey	Denton	Goodwin	Preuitt	
Barron	Dial	Hale	Sanders	
Bedford	Dixon	Hand	Smith (B)	
Bedsole	Drinkard	Hilliard	Smith (J)	
Bennett	Ellis			—25

*Nays:*

—0

### BILLS ON THIRD READING RESUMED

THE BILL:

H. 1055. Relating to the Twenty-ninth Judicial Circuit, in Talladega County; providing further for the compensation of the district attorney.

was read a third time at length and passed.

**REGULAR SESSION  
28th Day**

1833

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton
Amari	Denton	Goodwin	Mitchem
Bailey	Dial	Hale	Preuitt
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Manley	Smith (J)
Bennett	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Cabaniss requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Cabaniss, B. I. R., H. B. 1071, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	deGraffenried	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1071. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 2 (being all that part of the said county lying South and East of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama, and that portion of the unincorporated area of the county which is under the jurisdiction and control of the Tuscaloosa City Board of Education), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	deGraffenried	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Parsons
Bennett	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Cabaniss requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Cabaniss, B. I. R., H. B. 1072, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Parsons
Amari	Dial	Hale	Preuitt
Bailey	Dixon	Hand	Rice
Barron	Drinkard	Manley	Sanders
Bedford	Ellis	Menton	Smith (B)
Bedsole	Figures	Mitchem	Smith (J)
Bennett	Foshee		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1072. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 1 (being all that part of the said county lying North and West of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Parsons
Amari	deGraffenried	Hale	Preuitt
Bailey	Dixon	Hand	Rice
Barron	Drinkard	Manley	Sanders
Bedford	Ellis	Menton	Smith (B)
Bedsole	Figures	Mitchem	Smith (J)
Bennett	Foshee		

—25

Nays:

—0



RESOLUTION

Senator Preuitt requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

S. J. R. 189. CREATING THE INTERIM TALLADEGA COUNTY GOVERNMENTAL STUDY COMMITTEE AND SUBCOMMITTEE FOR BETTER GOVERNMENT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Interim Talladega County Governmental Study Committee and Subcommittee for Better Government for the purpose of determining how to operate county government more efficiently and economically. The Interim Talladega County Governmental Study Committee shall be composed of the three members of the Talladega County Legislative Delegation. The members of the Talladega County Governmental Study Subcommittee shall be appointed by the three members of the said Governmental Study Committee as follows: Each member of the House of Representatives shall appoint four citizens of Talladega County and the Senator from Talladega County shall appoint seven citizens from Talladega County for a total of 15 members of said subcommittee. A temporary chairman of the Governmental Subcommittee shall be appointed by the Study Committee to preside over the first meeting for the election of officers. Vacancies shall be filled by the original appointing authority. The said Study Committee and Subcommittee are authorized and empowered to investigate and to gather information, analyze and study such information, to make recommendations, suggest and propose measures to be taken for the sake of efficiency and economy in government. The Interim Talladega County Governmental Study Committee and Subcommittee for Better Government shall have subpoena powers to subpoena any documents, financial records and witnesses necessary to carry out the intent of the Legislature.

BE IT FURTHER RESOLVED, The Governmental Study Subcommittee shall meet on the first and third Thursday of each month at 7:00 p.m. and serve as the primary information gathering committee. The financial and other data and information pertaining to county government gathered by said subcommittee shall be examined and analyzed by the subcommittee. Areas of county government and county finances to be examined shall include without limitation the following:

- (1) The problems of the Talladega County jail and whether or not to build a new facility;
- (2) Industrial Development for additional jobs in the county;
- (3) The operation of the Talladega County Government and how to make it more efficient and economically sound;
- (4) Compensation of Talladega County elected officials;
- (5) The tax structure and debt structure of Talladega County;
- (6) The type of Government that would best serve the people of Talladega County, such as part-time versus full-time officials among other considerations.

BE IT FURTHER RESOLVED, That the Interim Talladega County Governmental Study Committee for Better Government shall meet no later than August 5, 1987, and appoint a chairman, vice-chairman and a secretary-treasurer. The secretary shall record all official actions of all meetings and

make the same available to the public at an appropriate place in the courthouse or otherwise.

BE IT FURTHER RESOLVED, That the members of the Talladega County Governmental Study Subcommittee for Better Government shall be appointed by August 10, 1987, and that each appointing authority shall file with the chief clerk of the Talladega County Probate Office the name, address and telephone number of his or her appointee no later than August 10, 1987. An organizational meeting of said subcommittee shall be held at the county courthouse at 7:00 p.m., August 20, 1987, for the purpose of electing a chairman, vice-chairman, secretary and a treasurer and such other officers as the Study Subcommittee deems necessary. The secretary shall record all official actions of all meetings and make the same available to the public at an appropriate place in the courthouse or otherwise. At the initial meeting, no official actions shall be taken except elections and a time fixed for the next meeting. Every effort shall be made to publicize all meetings of the Study Subcommittee and all meetings shall be open to the public.

RESOLVED FURTHER, That Study Committee and Subcommittee members shall serve without pay or expenses and no county funds other than for clerical assistance and supplies shall be expended, but the county commission may provide clerical assistance and supplies when requested by the Study Committee or Subcommittee chairman; provided, however, the Study Committee and Subcommittee may accept contributions and expend same by majority vote of a quorum of the committee or subcommittee, with both the chairman and treasurer endorsing checks. A quorum for transacting any official business shall be one more than half the number serving.

BE IT FURTHER RESOLVED, That the Study Subcommittee shall report its findings, conclusions and recommendations to the Talladega County governing body and to the Interim Talladega County Governmental Study Committee for Better Government composed of the Talladega County Legislative Delegation no later than January 15, 1988, at which time the Interim Talladega County Governmental Study Committee and Subcommittee shall be dissolved.

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to each member of the Talladega County Commission, each member of the Talladega County Board of Education, and to all incorporated cities and municipalities of Talladega County.

On motion of Senator Preuitt, the Rules were suspended and the Resolution was adopted by the Senate.

### **BILLS ON THIRD READING RESUMED**

Senator Bedford requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 341. To create the Police Officer's and Firefighter's Survivor Educational Assistance Act; to provide for tuition assistance and other costs for an undergraduate student in a state college, community college, junior college, technical college or state university who is the dependent child, or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to provide that the Alabama Commission on Higher Education shall administer the provisions of the act; to create the Tuition Eligibility Board and provides for membership; to make an appropriation; and to repeal Sections 36-21-95 through 36-21-99, Code of Alabama 1975, the Policeman's Survivor Tuition Act.

REGULAR SESSION  
28th Day

1837

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bedford then requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 90. To allow certified copies of case action summary or docket sheets or other court records to be admitted into evidence for the purpose of proving that a person has been previously convicted of a crime.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Foshee requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Foshee, B. I. R., H. B. 1014, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Denton	Horn	Preuitt
Bailey	Dial	Langford	Rice
Barron	Dixon	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1014. Relating to Covington County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as the county revenue commissioner; abolishing the offices of tax assessor and tax collector in said county; prescribing the duties and compensation of such commissioner; providing for a motor vehicle license division within the revenue commissioner's office; prescribing duties and procedures for such division; providing for an optional procedure for the renewal of motor vehicle licenses by mail; authorizing certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail; providing that this act shall become effective only if approved at a referendum election and providing for an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Denton	Hale	Preuitt
Bailey	Dial	Hand	Rice
Barron	Dixon	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., H. B. 987, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons	
Amari	Corbett	Goodwin	Preuitt	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Menton	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	
Bennett	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 987. Relating to Macon County; providing for an elected chairman for the Macon County Commission; prescribing procedures for the election of such chairman; prescribing procedure whereby the county commission shall decide whether such elected chairman shall be a part-time chairman or a full-time chairman; prescribing the salary and term of office of such county commission chairman; providing a certain expense allowance for such county commission chairman; providing for an interim chairman of the county commission if one becomes necessary and providing that this act shall have certain supplemental effect.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons	
Amari	Cabaniss	Goodwin	Preuitt	
Bailey	Corbett	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Menton	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	
Bennett	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., H. B. 983, adopted.

REGULAR SESSION  
28th Day

1839

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Corbett	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 983. Relating to Barbour County, to authorize the county commission to levy and collect certain taxes and fees, and to provide for the disposition of any proceeds from such taxes and fees.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Corbett	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 996, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Denton	Goodwin	Manley
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 996. To fix the fee for the issuance of pistol permits in Monroe County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Manley	
Amari	Denton	Goodwin	Preuitt	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 997, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons	
Amari	Denton	Goodwin	Preuitt	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Manley	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	
Bennett	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 997. To fix the fee for the issuance of pistol permits in Conecuh County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

was read a third time at length and passed.

REGULAR SESSION  
28th Day

1841

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Horn	
Bennett	Denton	Goodwin	Manley	
Bishop	Dial	Hale	Rice	
Cabaniss	Dixon	Hand	Sanders	
Campbell	Drinkard	Hilliard	Smith (B)	
Corbett	Ellis	Holmes	Smith (J)	
Covington	Figures			—25

Nays: —0

BUDGET ISOLATION RESOLUTION

Senator Foshee requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Foshee, B. I. R., H. B. 927, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons	
Amari	Cabaniss	Horn	Preuitt	
Bailey	Campbell	Langford	Rice	
Barron	Corbett	Manley	Sanders	
Bedford	Covington	Menton	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	
Bennett	Figures			—25

Nays: —0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 927. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons	
Amari	Cabaniss	Horn	Preuitt	
Bailey	Campbell	Langford	Rice	
Barron	Corbett	Manley	Sanders	
Bedford	Covington	Menton	Smith (B)	
Bedsole	deGraffenried	Mitchem	Smith (J)	
Bennett	Denton			—25

Nays: —0

**BUDGET ISOLATION RESOLUTION**

Senator deGraffenried requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator deGraffenried, B. I. R., H. B. 961, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Parsons	
Bennett	Denton	Horn	Preuitt	
Bishop	Dial	Langford	Rice	
Cabaniss	Dixon	Manley	Sanders	
Campbell	Drinkard	Menton	Smith (B)	
Corbett	Ellis	Mitchem	Smith (J)	
Covington	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 961. Relating to Autauga County; approving and authorizing the Autauga County Commission to levy an increase of the countywide public school ad valorem tax presently being levied pursuant to Amendment No. 3 to the Constitution of Alabama of 1901 at the rate of three mills in Autauga County from the present millage to nineteen mills, all in accordance with Amendment No. 373 to the Alabama Constitution; such increased countywide ad valorem tax to be levied and collected by Autauga County for each year beginning with the levy for the tax year October 1, 1987 to September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year October 1, 2003 to September 30, 2004 (the tax for which year will be due and payable October 1, 2004) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of Autauga County at a special election called and held in accordance with the laws governing special elections.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Parsons	
Bennett	Denton	Horn	Preuitt	
Bishop	Dial	Langford	Rice	
Cabaniss	Dixon	Manley	Sanders	
Campbell	Drinkard	Menton	Smith (B)	
Corbett	Ellis	Mitchem	Smith (J)	
Covington	Figures			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Covington requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Covington, B. I. R., S. B. 697, adopted.



**REGULAR SESSION  
28th Day**

1843

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Campbell	Hale	Rice
Barron	Covington	Hand	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 697. Relating to Dale County; providing an additional county expense allowance for members of the county board of registrars, payable from any county funds; and providing for cumulative and retroactive effect to October 1, 1986.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Covington	Hale	Rice
Barron	Dixon	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Dial, B. I. R., H. B. 929, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 929. Relating to Chambers County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for industrial development purposes and providing for a referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Preuitt	
Bailey	Campbell	Hale	Rice	
Barron	Dial	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

**Nays:**

—0

**RESOLUTION**

Senators Horn, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hand, Hilliard, Holmes, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) requested and received permission in order to offer the following Senate Resolution, to-wit:

**S. R. 190. NAMING THE SENATE FINANCE & TAXATION COMMITTEE ROOM THE JAMES V. JORDAN FINANCE & TAXATION COMMITTEE ROOM.**

WHEREAS, State Government in Alabama was blessed with expert fiscal advice from Mr. James V. Jordan for many years; and

WHEREAS, after serving with valorous distinction in the United States Marine Corps in the Pacific Theatre of Operations during World War II, he was appointed and federally recognized as a Major in the Finance Corps of the Alabama National Guard and subsequently served as budget and fiscal officer for the State Headquarters; and

WHEREAS, during a career of more than forty years in service to State Government "Mr. Jake" served with the State Highway Department, Treasurer's Office, State Budget Officer from 1946 to 1974, serving seven administrations in that position; and

WHEREAS, in 1975 he was called from retirement to serve as Alabama's first Director of the Legislative Fiscal Office, a position he held for four years; and

WHEREAS, the State of Alabama, historically, has been fortunate to possess great leaders in the elected sector, as well as the career sector of State Government; and

WHEREAS, Mr. Jordan was of invaluable assistance to hundreds of legislators during his long career; his booming voice, his steel-trap mind, and his ready wit will long be remembered by his countless friends; now therefore

REGULAR SESSION  
28th Day

1845

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we honor the late James V. Jordan by naming the Senate Finance and Taxation Committee Room the James V. Jordan Finance and Taxation Committee Room.

BE IT FURTHER RESOLVED, that the Secretary of the Senate is hereby instructed to appropriately designate this recognition.

Which was adopted.

**BUDGET ISOLATION RESOLUTION**

Senator Dial requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Dial, B. I. R., H. B. 958, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Campbell	Hale	Rice
Barron	Dial	Hand	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 958. To propose an amendment to the Constitution of Alabama of 1901, to authorize the levy and collection of an additional property tax within the Roanoke School District, Randolph County, for public education purposes.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 958, to-wit:

**AMENDMENT TO H. B. 958**

Amend H. B. 958 on line 25, after word "be" by striking the words "none effective" and insert in lieu thereof the word "noneffective".

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Campbell	Hale	Rice
Barron	Dial	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

And said Bill, H. B. 958, as thus amended, was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Ellis	Holmes	Parsons	
Amari	Figures	Horn	Preuitt	
Bailey	Foshee	Langford	Rice	
Cabaniss	Goodwin	Manley	Sanders	
Campbell	Hale	Menton	Smith (B)	
Dial	Hand	Mitchem	Smith (J)	
Drinkard	Hilliard			—25

*Nays:*

—0

### BUDGET ISOLATION RESOLUTION

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 928, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Denton	Goodwin	Langford	
Bailey	Dial	Hale	Manley	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

*Nays:*

—0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 928. Relating to Clarke County; providing further for the qualifications of the county superintendent of education.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Denton	Goodwin	Manley	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Hand requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Hand, B. I. R., S. B. 610, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Campbell	Hand	Rice
Barron	Corbett	Manley	Sanders
Bedford	Covington	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 610. To remove certain property from within the municipal limits of the Town of Summerdale in Baldwin County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Parsons
Bennett	Denton	Goodwin	Preuitt
Bishop	Dial	Hand	Rice
Cabaniss	Dixon	Manley	Sanders
Campbell	Drinkard	Menton	Smith (B)
Corbett	Ellis	Mitchem	Smith (J)
Covington	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Hand requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Hand, B. I. R., S. B. 660, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Campbell	Hand	Rice
Barron	Corbett	Manley	Sanders
Bedford	Covington	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 660. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Orange Beach, in Baldwin County; to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Orange Beach.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Parsons
Bennett	Denton	Hand	Preuitt
Bishop	Dial	Langford	Rice
Cabaniss	Dixon	Manley	Sanders
Campbell	Drinkard	Menton	Smith (B)
Corbett	Ellis	Mitchem	Smith (J)
Covington	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator deGraffenried requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator deGraffenried, B. I. R., S. B. 620, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	deGraffenried	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 620. Relating to Tuscaloosa County; providing the tax assessor and tax collector of the county an additional expense allowance, payable from county funds; and providing further for the compensation of each such public office at the expiration of the respective terms of office of such incumbent officials.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

REGULAR SESSION  
28th Day

1849

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Holmes	Parsons
Amari	deGraffenried	Horn	Preuitt
Bailey	Dial	Langford	Rice
Barron	Dixon	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Figures requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Figures, B. I. R., H. B. 1028, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Holmes	Parsons
Amari	Cabaniss	Horn	Preuitt
Bailey	Campbell	Langford	Rice
Barron	Corbett	Manley	Sanders
Bedford	Covington	Menton	Smith (B)
Bedsole	Figures	Mitchem	Smith (J)
Bennett	Hilliard		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1028. Authorizing the Mobile County Commission to borrow money for general county purposes, and providing for the repayment thereof.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Langford
Amari	Cabaniss	Hale	Manley
Bailey	Campbell	Hand	Menton
Barron	Corbett	Hilliard	Sanders
Bedford	Covington	Holmes	Smith (B)
Bedsole	Figures	Horn	Smith (J)
Bennett	Foshee		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Foshee requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Foshee, B. I. R., H. B. 899, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Holmes	Parsons	
Barron	Dixon	Horn	Preuitt	
Bedford	Drinkard	Langford	Rice	
Cabaniss	Ellis	Manley	Sanders	
Campbell	Figures	Menton	Smith (B)	
Corbett	Foshee	Mitchem	Smith (J)	
Covington	Hilliard			—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 899. To alter or rearrange the boundary lines of the City of Elba, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons	
Amari	Denton	Hale	Preuitt	
Bailey	Dial	Hand	Rice	
Barron	Dixon	Hilliard	Sanders	
Bedford	Drinkard	Holmes	Smith (B)	
Bedsale	Ellis	Horn	Smith (J)	
Bennett	Figures			—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., H. B. 938, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Manley	
Amari	Corbett	Goodwin	Menton	
Bailey	Denton	Hale	Rice	
Barron	Dial	Hand	Sanders	
Bedford	Dixon	Horn	Smith (B)	
Bedsale	Ellis	Langford	Smith (J)	
Bennett	Figures			—25

Nays:

—0



**REGULAR SESSION  
28th Day**

1851

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 938. Relating to Bullock County; providing further for the expense allowances for certain county officials to be paid at the discretion of the county commission.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	Bishop	Foshee	Horn
Amari	Corbett	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Parsons
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Dial, B. I. R., H. B. 1105, adopted.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1105. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Rice
Barron	Dial	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Goodwin, B. I. R., H. B. 912, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Manley	
Amari	Cabaniss	Goodwin	Menton	
Bailey	Denton	Hilliard	Rice	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Bennett	Ellis			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 912. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of not less than five nor more than eight aldermen to be elected from districts and a council president to be elected at large.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Holmes	Parsons	
Amari	Dial	Horn	Preuitt	
Bennett	Dixon	Langford	Rice	
Bishop	Drinkard	Manley	Sanders	
Cabaniss	Ellis	Menton	Smith (B)	
Campbell	Figures	Mitchem	Smith (J)	
Corbett	Goodwin			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Dial, B. I. R., H. B. 972, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Parsons	
Amari	Cabaniss	Horn	Preuitt	
Bailey	Campbell	Langford	Rice	
Barron	Corbett	Manley	Sanders	
Bedford	Dial	Menton	Smith (B)	
Bedsole	Dixon	Mitchem	Smith (J)	
Bennett	Drinkard			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 972. Relating to Cleburne County and the position of license inspector; providing that the county license inspector shall be appointed by the county commission which shall determine whether such position shall be full-time or part-time; prescribing that the county commission shall set his duties and powers and compensation; and specifically repealing Act No. 79-482, H. 986, Regular Session 1979 (Acts 1979, p. 890), placing such powers and duties in the sheriff of the county; and repealing any laws or parts of laws in conflict herewith.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Parsons
Amari	Cabaniss	Hale	Preuitt
Bailey	Campbell	Hand	Rice
Barron	Dial	Hilliard	Sanders
Bedford	Dixon	Holmes	Smith (B)
Bedsale	Drinkard	Horn	Smith (J)
Bennett	Ellis		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., H. B. 993, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Sanders
Bedford	Covington	Hilliard	Smith (B)
Bedsale	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 993. Relating to Russell County; to amend Section 8 of Act No. 85-386, H. 540 of the 1985 Regular Session (Acts 1985, p. 332), relating to levying an additional sales tax, so as to provide further for the termination of any tax levied under the authority of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons	
Amari	Cabaniss	Goodwin	Preuitt	
Bailey	Campbell	Hale	Rice	
Barron	Corbett	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 858, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Holmes	Parsons	
Amari	Denton	Horn	Preuitt	
Bailey	Dial	Langford	Rice	
Barron	Dixon	Manley	Sanders	
Bedford	Drinkard	Menton	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	
Bennett	Figures			—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 858. Relating to Clarke County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the revenue commissioner, relieving the probate judge of such duties; repealing conflicting acts; and providing for an advisory referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn	
Amari	Denton	Goodwin	Manley	
Bailey	Dial	Hale	Mitchem	
Barron	Dixon	Hand	Parsons	
Bedford	Drinkard	Hilliard	Preuitt	
Bedsole	Ellis	Holmes	Rice	
Bennett	Figures			—25

Nays:

—0

REGULAR SESSION  
28th Day

1855

BUDGET ISOLATION RESOLUTION

Senator Figures requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Figures, B. I. R., H. B. 1029, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Parsons
Bennett	Figures		

—25

*Nays:*

—0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1029. Relating to Mobile County; authorizing the county commission to levy a business or privilege fee on certain businesses.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Parsons
Amari	Cabaniss	Hale	Preuitt
Bailey	Campbell	Hand	Rice
Barron	Corbett	Hilliard	Sanders
Bedford	Covington	Holmes	Smith (B)
Bedsole	Figures	Horn	Smith (J)
Bennett	Foshee		

—25

*Nays:*

—0

BUDGET ISOLATION RESOLUTION

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 859, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Parsons
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 859. Relating to Clarke County; providing for the creation, appointment, powers and duties of a county license inspector; providing for delinquency and citation fees, commissions and penalties allowable to such inspector; and providing that all license inspector's fees, commissions and penalties be paid into the county general fund for the use of the county; providing for the county commission to set the compensation of such officer; and providing for an advisory referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

<b>Senators:</b>	Campbell	Foshee	Parsons	
Amari	Corbett	Goodwin	Preuitt	
Bailey	Covington	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Manley	Smith (B)	
Bishop	Ellis	Mitchem	Smith (J)	
Cabaniss	Figures			—25

**Nays:**

—0

**BUDGET ISOLATION RESOLUTION**

Senator Covington requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Covington, B. I. R., H. B. 888, adopted.

Yeas 25; Nays 0.

**Yeas:**

<b>Senators:</b>	Bishop	Foshee	Parsons	
Amari	Cabaniss	Goodwin	Preuitt	
Bailey	Campbell	Hale	Rice	
Barron	Covington	Hand	Sanders	
Bedford	Drinkard	Menton	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	
Bennett	Figures			—25

**Nays:**

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 888. Relating to the Assistant District Attorney of Crenshaw County and providing further for the compensation of such office and the authority of the Crenshaw County Commission to make certain increases in the compensation, from time to time, for such office; providing that the provisions of this act shall be retroactive to October 1, 1983.

was read a third time at length and passed.

REGULAR SESSION  
28th Day

1857

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Horn
Amari	Covington	Goodwin	Menton
Bailey	Dial	Hale	Mitchem
Barron	Dixon	Hand	Parsons
Bedford	Drinkard	Hilliard	Preuitt
Bedsole	Ellis	Holmes	Rice
Bennett	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Dial requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Dial, B. I. R., H. B. 919, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Menton
Bedford	Covington	Hilliard	Mitchem
Bedsole	deGraffenried	Holmes	Parsons
Bennett	Dial		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 919. Relating to Randolph County and the levying and collecting of taxes; amending Section 3 of Act No. 85-466, H. 166, Regular Session 1985, which section relates to the office of revenue commissioner in Randolph County and the election therefor; amending Section 12 of said act, relating to the effectiveness of the referendum on the question of abolishing the local office of tax assessor and tax collector and establishing the office of revenue commissioner; providing for the functioning of the office of revenue commissioner commencing October 1991, and the abolishment of the offices of the tax assessor and tax collector simultaneously; providing for the retroactive effect of this act to May 7, 1985; and amending Section 2 of said act so as to make a typographical correction.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Parsons
Amari	Dial	Hale	Preuitt
Bailey	Dixon	Hand	Rice
Bennett	Drinkard	Hilliard	Sanders
Bishop	Ellis	Holmes	Smith (B)
Cabaniss	Figures	Horn	Smith (J)
Campbell	Foshee		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Goodwin, B. I. R., H. B. 1062, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Parsons	
Amari	Cabaniss	Hand	Preuitt	
Bailey	Campbell	Langford	Rice	
Barron	Corbett	Manley	Sanders	
Bedford	Covington	Menton	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	
Bennett	Figures			—25
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1062. Relating to Dallas County; amending the title and section 1 of Act No. 415, H. 745, 1978 Regular Session (Acts 1978, p. 412) which act established the Dallas County Law Library Fund, so as to increase certain court costs to be paid to the said Law Library Fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Parsons	
Amari	Dial	Hale	Preuitt	
Bailey	Dixon	Hand	Rice	
Barron	Drinkard	Hilliard	Sanders	
Bedford	Ellis	Holmes	Smith (B)	
Bishop	Figures	Horn	Smith (J)	
Cabaniss	Foshee			—25
<i>Nays:</i>				—0

**BUDGET ISOLATION RESOLUTION**

Senator Figures requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Figures, B. I. R., S. B. 627, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Holmes	Parsons	
Amari	Denton	Horn	Preuitt	
Bailey	Dial	Langford	Rice	
Barron	Dixon	Manley	Sanders	
Campbell	Drinkard	Menton	Smith (B)	
Corbett	Figures	Mitchem	Smith (J)	
Covington	Hilliard			—25
<i>Nays:</i>				—0



**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 627. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Manley
Amari	Cabaniss	Foshee	Menton
Bailey	Denton	Goodwin	Mitchem
Barron	Dial	Hale	Parsons
Bedford	Dixon	Hand	Preuitt
Bedsole	Drinkard	Hilliard	Rice
Bennett	Ellis		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., H. B. 994, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Corbett	Hale	Manley
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 994. Relating to Russell County; to provide that the county commission may authorize two additional deputies to be employed by the sheriff.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Manley
Amari	Dixon	Hand	Menton
Bedsole	Drinkard	Hilliard	Mitchem
Bennett	Ellis	Holmes	Parsons
Bishop	Figures	Horn	Preuitt
Cabaniss	Foshee	Langford	Rice
Campbell	Goodwin		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Dial, B. I. R., H. B. 826, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Holmes	Parsons
Amari	Cabaniss	Horn	Preuitt
Bailey	Campbell	Langford	Rice
Barron	Corbett	Manley	Sanders
Bedford	Covington	Menton	Smith (B)
Bedsole	deGraffenried	Mitchem	Smith (J)
Bennett	Dial		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 826. Relating to Cherokee County; to create a license-issuing division or office within the offices of the county courthouse for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission, from time to time, to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting certain taxes, the issuance of licenses by such license-issuing division; to provide for the performance of certain duties heretofore performed by the tax collector, tax assessor and probate judge by said division in the office as designated by the county commission; to provide for certain compensation for any interim; and to provide for a referendum and the county commission passing a resolution; and to provide for the effective date of this act.

was read a third time at length and passed.

**REGULAR SESSION  
28th Day**

1861

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Campbell</b>	<b>Goodwin</b>	<b>Parsons</b>
Amari	Dial	Hale	Preuitt
Bedford	Dixon	Hand	Rice
Bedsole	Drinkard	Hilliard	Sanders
Bennett	Ellis	Holmes	Smith (B)
Bishop	Figures	Horn	Smith (J)
Cabaniss	Foshee		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Goodwin, B. I. R., H. B. 1012, adopted.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Bishop</b>	<b>Goodwin</b>	<b>Parsons</b>
Amari	Cabaniss	Horn	Preuitt
Bailey	Campbell	Langford	Rice
Barron	Corbett	Manley	Sanders
Bedford	Covington	Menton	Smith (B)
Bedsole	deGraffenried	Mitchem	Smith (J)
Bennett	Denton		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1012. Relating to Bibb County; to authorize the West Alabama District Board of Health to designate the services rendered by the Bibb County Health Department for which a reasonable fee may be charged. The West Alabama District Board of Health is further required to set a maximum fee for each service. The Bibb County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	<b>Bishop</b>	<b>Foshee</b>	<b>Horn</b>
Amari	Cabaniss	Goodwin	Mitchem
Bailey	Campbell	Hale	Parsons
Barron	Denton	Hand	Preuitt
Bedford	Dial	Hilliard	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 860, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Horn	
Amari	Denton	Goodwin	Manley	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 860. To create the office of commissioner of licenses in Clarke County; to provide for the issuance of all licenses except marriage licenses; to prescribe the powers, duties and authority of the commissioner of licenses; to provide for the election of such commissioner, his term, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties and records of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed; and to provide for an advisory referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Hale	Manley	
Amari	Covington	Hand	Preuitt	
Bailey	Dixon	Hilliard	Rice	
Barron	Ellis	Holmes	Sanders	
Bedford	Figures	Horn	Smith (B)	
Bedsole	Foshee	Langford	Smith (J)	
Campbell	Goodwin			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Figures requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Figures, B. I. R., H. B. 1030, adopted.

**REGULAR SESSION  
28th Day**

1863

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Parsons
Amari	Cabaniss	Hand	Preuitt
Bailey	Campbell	Langford	Rice
Barron	Corbett	Manley	Sanders
Bedford	Covington	Menton	Smith (B)
Bedsole	deGraffenried	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1030. Providing for the Judge of Probate to assess an additional surcharge at the rate of \$10.00 per instrument for all documents submitted for recordation in Probate Court which are subject to a deed or mortgage tax, and providing for these funds and any interest thereon, to be appropriated to the Mobile County General Fund on a monthly basis to be used for general county purposes.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	Covington	Hale	Rice
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Horn	Smith (B)
Bedsole	Dial	Langford	Smith (J)
Cabaniss	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 861, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Manley
Bailey	Dial	Hale	Mitchem
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

## BILLS ON THIRD READING RESUMED

## THE BILL:

H. 861. Relating to Clarke County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector; prescribing the amount of salary and method of payment of said salary; repealing conflicting laws; providing for an advisory referendum; and prescribing the effective date of this act.

was taken up.

Senator Manley offered the following amendment to the Bill, H. B. 861, to-wit:

## AMENDMENT TO H. B. 861

Amend H. 861 by changing the period after the word "taxes" on page 2, line 12, to a semicolon and inserting after such semicolon the following:

"provided however, nothing in this act shall be construed to change the procedures for assessment of property assessed by the department of revenue pursuant to Section 40-21-1 of this Code."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Mitchem	
Barron	Denton	Hand	Parsons	
Bedford	Dial	Hilliard	Rice	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Figures			—25

Nays: —0

And said Bill, H. B. 861, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons	
Amari	Cabaniss	Goodwin	Preuitt	
Bailey	Campbell	Holmes	Rice	
Barron	Corbett	Horn	Sanders	
Bedford	Drinkard	Manley	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	
Bennett	Figures			—25

Nays: —0

REGULAR SESSION  
28th Day

1865

**BUDGET ISOLATION RESOLUTION**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., H. B. 995, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Hale	Manley
Amari	Cabaniss	Hand	Menton
Bailey	Campbell	Hilliard	Rice
Barron	Corbett	Holmes	Sanders
Bedford	Denton	Horn	Smith (B)
Bedsole	Dial	Langford	Smith (J)
Bennett	Dixon		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 995. Relating to selling and redeeming lands for taxes in Russell County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Corbett	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 862, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Manley
Amari	Dixon	Hand	Preuitt
Bedsole	Drinkard	Hilliard	Rice
Bennett	Ellis	Holmes	Sanders
Bishop	Figures	Horn	Smith (B)
Cabaniss	Foshee	Langford	Smith (J)
Denton	Goodwin		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 862. Relating to Clarke County; to change the method of compensating the judge of probate; to fix such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county and the salary paid from the said general fund; to make provision for a chief clerk and other personnel, quarters and supplies for the probate office; and to provide for an advisory referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Horn	
Amari	Denton	Goodwin	Manley	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Figures requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Figures, B. I. R., H. B. 1004, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Parsons	
Bedford	Covington	Hale	Previtt	
Bedsole	deGraffenried	Hand	Rice	
Bennett	Denton	Manley	Sanders	
Bishop	Dial	Menton	Smith (B)	
Cabaniss	Figures	Mitchem	Smith (J)	
Campbell	Foshee			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1004. Relating to compensation of the Mobile County Treasurer; amending Section 1 of Act No. 80-338, H. 857, Regular Session 1980 (Acts 1980, p. 458) relating to compensation for such officer, so as to further provide therefor.

was read a third time at length and passed.



REGULAR SESSION  
28th Day

1867

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Parsons
Amari	Cabaniss	Horn	Preuitt
Bailey	Campbell	Langford	Rice
Barron	Corbett	Manley	Sanders
Bedford	Dixon	Menton	Smith (B)
Bedsole	Drinkard	Mitchem	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 863, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Manley	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 863. Proposing an amendment to the Constitution of Alabama of 1901, relative to the fees and compensation of the judge of probate of Clarke County.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Denton	Goodwin	Manley
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Manley requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Manley, B. I. R., H. B. 952, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn	
Amari	Denton	Goodwin	Manley	
Bishop	Dial	Hale	Rice	
Cabaniss	Dixon	Hand	Sanders	
Campbell	Drinkard	Hilliard	Smith (B)	
Corbett	Ellis	Holmes	Smith (J)	
Covington	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 952. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Butler, in Choctaw County.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Langford	
Amari	Cabaniss	Hale	Manley	
Bailey	Campbell	Hand	Rice	
Barron	Denton	Hilliard	Sanders	
Bedford	Dial	Holmes	Smith (B)	
Bedsole	Dixon	Horn	Smith (J)	
Bennett	Foshee			—25

*Nays:*

—0

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator Manley, further consideration of the Bill, H. B. 320, and pending amendment to the substitute, was postponed subject to the call of the Chair.

**BILLS RECONSIDERED**

On motion of Senator deGraffenried, the Senate reconsidered the vote by which the Bill, H. B. 987, was passed.

And on motion of Senator deGraffenried, further consideration of the Bill, H. B. 987, was postponed temporarily.

On motion of Senator deGraffenried, the Senate reconsidered the vote by which the Bill, H. B. 983, was passed.

And on motion of Senator deGraffenried, further consideration of the Bill, H. B. 983, was postponed temporarily.

On motion of Senator deGraffenried, the Senate reconsidered the vote by which the Bill, H. B. 938, was passed.

And on motion of Senator deGraffenried, further consideration of the Bill, H. B. 938, was postponed temporarily.

On motion of Senator deGraffenried, the Senate reconsidered the vote by which the Bill, H. B. 993, was passed.

And on motion of Senator deGraffenried, further consideration of the Bill, H. B. 993, was postponed temporarily.

On motion of Senator deGraffenried, the Senate reconsidered the vote by which the Bill, H. B. 994, was passed.

And on motion Senator deGraffenried, further consideration of the Bill, H. B. 994, was postponed temporarily.

On motion of Senator deGraffenried, the Senate reconsidered the vote by which the Bill, H. B. 995, was passed.

And on motion of Senator deGraffenried, further consideration of the Bill, H. B. 995, was postponed temporarily.

#### **FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator Manley, further consideration of the Bill, H. B. 320, and pending amendment to the substitute, was postponed subject to the call of the Chair.

#### **BILLS ON THIRD READING RESUMED**

##### **THE BILL:**

H. 904. To provide that the Lieutenant Governor's office shall be separate and distinct; to provide for the appointment and compensation of the personnel of the Lieutenant Governor's office; and to authorize the Lieutenant Governor to purchase equipment, supplies and services and to approve personnel business travel.

was taken up.

On motion of Senator Manley, further consideration of the Bill, H. B. 904, was postponed subject to the call of the Chair.

#### **FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator Manley, further consideration of the Bill, H. B. 320, and pending amendment to the substitute, was postponed subject to the call of the Chair.

### POINT OF PERSONAL PRIVILEGE

Senator Corbett requested that the following statement be read and spread upon the Journal:

Mr. President,

I wish to challenge the Chair on refusal to recognize a Point of Order that according to the Constitution of Alabama 1901, the Alabama State Senate cannot transact any business in the absence of a quorum. It being clear and evident that there being no quorum present, this Senate is transacting business in violation of the Constitution of Alabama 1901. However, State Senator Ryan deGraffenried has refused to recognize a valid Point of Order and an obvious Constitutional violation.

Entered in the Journal and spread upon the minutes this 16th day of July, 1987 at 5:30 A.M.

### FURTHER CONSIDERATION OF H. B. 320

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator Hale, further consideration of the Bill, H. B. 320, and pending amendment to the substitute, was postponed subject to the call of the Chair.

### BUDGET ISOLATION RESOLUTION

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Bedsole, B. I. R., S. B. 498, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Hale	Manley
Bedsole	Dixon	Hand	Preuitt
Bennett	Drinkard	Hilliard	Rice
Bishop	Ellis	Holmes	Sanders
Cabaniss	Figures	Horn	Smith (B)
Campbell	Foshee	Langford	Smith (J)
Corbett	Goodwin		

—25

Nays:

—0

### BILLS ON THIRD READING RESUMED

THE BILL:

S. 498. Relating to Mobile County; providing for the acceptance of certain unimproved roads and regulating the construction of certain other unimproved roads.

was taken up.

The Standing Committee on Local Legislation No. 3 reported the following amendment to the Bill, S. B. 498, to-wit:

**AMENDMENT TO S. B. 498**

Amend Senate Bill 498 on page 4, line 20 and 21, by striking out "in any future programs" after the word "considered" and add in lieu thereof the following language: "again for a period of one year."

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedsole	Drinkard	Hilliard	Smith (B)
Corbett	Ellis	Holmes	Smith (J)
Covington	Figures		

—25

*Nays:*

—0

And said Bill, S. B. 498, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Hale	Manley
Bedsole	Dixon	Hand	Menton
Bennett	Drinkard	Hilliard	Mitchem
Bishop	Ellis	Holmes	Parsons
Cabaniss	Figures	Horn	Preuitt
Campbell	Foshee	Langford	Rice
Corbett	Goodwin		

—25

*Nays:*

—0

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator Langford, further consideration of the Bill, H. B. 320, and pending amendment was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., S. B. 706, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	deGraffenried	Hale	Manley	
Barron	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Mitchem	
Bedsole	Drinkard	Holmes	Parsons	
Bennett	Figures			—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 706. To fix the fee for the issuance of pistol permits in Etowah County; to provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund; to provide for the use of such fund; and to provide that this act shall be retroactive to January 19, 1987.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Manley	
Amari	Cabaniss	Foshee	Preuitt	
Bailey	Campbell	Goodwin	Rice	
Barron	Corbett	Holmes	Sanders	
Bedford	Covington	Horn	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Bennett	Ellis			—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Corbett then requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., S. B. 707, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Langford	
Amari	deGraffenried	Hale	Manley	
Bennett	Denton	Hand	Rice	
Bishop	Dial	Hilliard	Sanders	
Cabaniss	Drinkard	Holmes	Smith (B)	
Campbell	Figures	Horn	Smith (J)	
Corbett	Foshee			—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 707. Relating to Etowah County; providing for the distribution of fire protection net tax revenues generated pursuant to Amendment No. 445, Amendment of Amendment 432, which authorized the levy of such tax and the distribution to volunteer fire departments for such protection and services, so as to provide for the manner of such distribution together with any earned interest thereon.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Campbell	Hale	Rice
Barron	Corbett	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator Bedsole, further consideration of the Bill, H. B. 320, and pending amendment and substitute, was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Mitchem, B. I. R., S. B. 696, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Mitchem
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Langford	Smith (B)
Bedsole	Ellis	Manley	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 696. To permit banks now or hereafter situated in Marshall County to establish, maintain and operate branch banks and branch offices within the limits of such county, except within the city limits of incorporated municipalities having a population of 5,000 or less in accord with the present or any subsequent federal decennial census and in which a bank is already established; to authorize the conduct of a general banking and trust business at such locations; and to repeal conflicting laws.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Senators:	Bishop	Figures	Manley	
Amari	Cabaniss	Foshee	Menton	
Bailey	Denton	Goodwin	Mitchem	
Barron	Dial	Holmes	Sanders	
Bedford	Dixon	Horn	Smith (B)	
Bedsole	Drinkard	Langford	Smith (J)	
Bennett	Ellis			—25

**Nays:**

—0

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator Bedsole, further consideration of the Bill, H. B. 320, and pending amendment and substitute, was postponed subject to the call of the Chair.

**RESOLUTION**

Senator Hale offered the following Senate Resolution, to-wit:

S. R. 191. RESOLUTION TO POSTPONE THE PROPOSED RE-CLASSIFICATION OF AGRICULTURAL USES BY TVA.

Which was adopted.

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 320, and pending amendment and substitute, was postponed subject to the call of the Chair.

**MOTION IN WRITING**

Senator deGraffenried offered the following Motion in Writing, to-wit:



**MOTION IN WRITING**

Motion in Writing to suspend the provisions of Rule 35 to allow the Senate to transmit to the House the following Bills:

S. B. 697

S. B. 610

S. B. 660

S. B. 620

S. B. 627

S. B. 498

S. B. 706

S. B. 707

Which was read and spread upon the Journal.

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 498. Relating to Mobile County; providing for the acceptance of certain unimproved roads and regulating the construction of certain other unimproved roads.

JIM SMITH,  
Chairperson.

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator Preuitt, further consideration of the Bill, H. B. 320, and pending amendment and substitute, was postponed subject to the call of the Chair.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has non-concurred in the Senate amendment to the Bill:

H. 269. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1988.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives: (Conferees to be announced July 15, 1987)

7/15/87: And the Speaker appointed Reps. Clark (J), Harper, and Fuller.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Corbett, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 269, the title of which is set out in the foregoing Message from the House.

Yeas 18; Nays 0.

Yeas:

Senators:	Covington	Hale	Mitchem	
Bailey	deGraffenried	Hilliard	Preuitt	
Barron	Denton	Horn	Smith (B)	
Cabaniss	Dixon	Manley	Smith (J)	
Corbett	Goodwin	Menton		—18

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Senators Horn, Barron, and deGraffenried.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Bill:

H. 270. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1988.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives: (Conferees to be announced July 15, 1987)

7/15/87: And the Speaker appointed Reps. Clark (J), Harper, and Fuller.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator deGraffenried, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 270, the title of which is set out in the foregoing Message from the House.

REGULAR SESSION  
28th Day

1877

Yeas 19; Nays 0.

*Yeas:*

Senators:	Covington	Hale	Mitchem	
Barron	deGraffenried	Hilliard	Preuitt	
Bishop	Denton	Horn	Sanders	
Cabaniss	Dixon	Manley	Smith (B)	
Corbett	Goodwin	Menton	Smith (J)	—19

*Nays:* —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Senators Horn, Barron, and Drinkard.

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 2 to the deGraffenried substitute.

On motion of Senator Ellis, his amendment No. 2 was laid on the table.

Senator Ellis then offered the following amendment No. 3 to the substitute for the Bill, H. B. 320, to-wit:

**AMENDMENT NO. 3 TO SUBSTITUTE FOR H. B. 320**

Amend deGraffenried substitute for H. B. 320, page 5, line 25 by adding at the end of Section 9 of said substitute the following:

"In the event the state superintendent shall not, within twelve (12) months of the date on which said superintendent shall have declared a local school system to be educationally or financially deficient pursuant to the provisions of this section, issue to the local board of education a certificate evidencing the state superintendent's determination that the local school system is no longer educationally or financially deficient, the local board of education shall, after the expiration of such 12-month period, be entitled to file a petition for determination of sufficiency with the circuit court for the judicial circuit in which is located the school system previously declared by the state superintendent to be deficient pursuant to this section, following the filing of which the said circuit court shall issue an order requiring the state superintendent to show cause, if any said superintendent shall have, as to why said local system should not be declared no longer educationally or financially deficient, and setting a date for a hearing thereon. If, following such hearing the circuit court, sitting without a jury, shall not determine that the state superintendent has proved, by a preponderance of the evidence presented to the court, that the said local system remains educationally or financially deficient, the court shall enter an order finding the system to be no longer educationally or financially deficient. Following the entry of such an order, the state superintendent shall have no power under this section to declare the local system that is the subject of such an order educationally or financially deficient under the provisions of this section for a period of twenty-four months from the date of such order."

And further amend said substitute, page 5, by deleting Section 10 and renumbering all subsequent sections accordingly.

On motion of Senator Rice, further consideration of the Bill, H. B. 320, and pending amendment and substitute, was postponed temporarily.

**RULES SUSPENDED**

On motion of Senator Rice, the Rules were suspended and permission was granted to bring up and pass all local bills on the Calendar.

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 690, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Manley	
Barron	Corbett	Hand	Menton	
Bedford	Drinkard	Hilliard	Preuitt	
Bedsole	Ellis	Holmes	Sanders	
Bennett	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 690. Relating to Greene County; providing for an additional expense allowance for the county coroner.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Manley	
Amari	Cabaniss	Figures	Menton	
Bailey	Campbell	Foshee	Mitchem	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Preuitt	
Bedsole	Dixon	Hand	Sanders	
Bennett	Drinkard			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 688, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Horn	
Amari	Denton	Goodwin	Langford	
Bailey	Dial	Hale	Mitchem	
Barron	Dixon	Hand	Parsons	
Bedford	Drinkard	Hilliard	Preuitt	
Bedsole	Ellis	Holmes	Sanders	
Cabaniss	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 688. Proposing an amendment to the Constitution of Alabama relating to combining the offices of tax assessor and tax collector of Greene County.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton
Amari	Denton	Goodwin	Mitchem
Bedford	Dial	Hale	Parsons
Bedsole	Dixon	Hand	Preuitt
Bennett	Drinkard	Hilliard	Rice
Bishop	Ellis	Manley	Sanders
Cabaniss	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 689, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Mitchem
Barron	Dixon	Hand	Parsons
Bedford	Drinkard	Hilliard	Preuitt
Bedsole	Ellis	Holmes	Sanders
Covington	Figures		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 689. Relating to Lowndes County; providing that it shall be unlawful for anyone from any highway or public road to willfully throw or cast headlights or any rays of artificial light from any motor vehicle on to any field, woodland or forest in any attempt to locate deer or any other wildlife with the exception of resident farmers or ranchers who may do so while checking livestock on owned, leased or rented land; and providing for penalties.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Hilliard
Amari	Cabaniss	Figures	Manley
Bailey	Campbell	Foshee	Menton
Barron	Denton	Goodwin	Parsons
Bedford	Dial	Hale	Rice
Bedsole	Dixon	Hand	Sanders
Bennett	Drinkard		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 692, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Horn
Bennett	Denton	Goodwin	Langford
Bishop	Dial	Hale	Mitchem
Cabaniss	Dixon	Hand	Parsons
Campbell	Drinkard	Hilliard	Preuitt
Corbett	Ellis	Holmes	Sanders
Covington	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 692. Relating to Sumter County; to establish in the county treasury an Indigent Health Care Fund to be funded by a portion of the proceeds from certain taxes levied in the county; to create an Indigent Health Care Committee and to provide for appointment of membership; and to authorize such committee to manage, approve and make disbursement of such fund for purpose of indigent health care.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Menton
Amari	Cabaniss	Figures	Mitchem
Bailey	Campbell	Foshee	Parsons
Barron	Corbett	Goodwin	Preuitt
Bedford	Dial	Hale	Rice
Bedsole	Dixon	Manley	Sanders
Bennett	Drinkard		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 693, adopted.

REGULAR SESSION  
28th Day

1881

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Denton	Goodwin	Langford	
Bailey	Dial	Hale	Manley	
Barron	Dixon	Hand	Parsons	
Bedford	Drinkard	Hilliard	Preuitt	
Bedsole	Ellis	Holmes	Sanders	
Bennett	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 693. Relating to Greene County; amending Act No. 84-530, H. 239, 1984 Regular Session, which provides for the distribution of the proceeds from the beer tax, so as to provide further for said distribution.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Denton	Goodwin	Mitchem	
Bailey	Dial	Hale	Parsons	
Barron	Dixon	Hand	Preuitt	
Bedford	Drinkard	Hilliard	Rice	
Bedsole	Ellis	Holmes	Sanders	
Bennett	Figures			—25

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Johnson (RG):

H. 1077. To amend Section 5-19-20, Code of Alabama 1975, relating to consumer financial transactions and to insurance offered by creditors, so as to allow creditors to offer involuntary unemployment compensation insurance to its debtors.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1077—to the Committee on Rules

**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., S. B. 654, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Parsons
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Manley	Sanders
Bedsole	Drinkard	Menton	Smith (B)
Corbett	Ellis	Mitchem	Smith (J)
Covington	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 654. Relating to Mobile County; levying an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection, and distribution of the proceeds of the tax, and of the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

was taken up.

The Standing Committee on Local Legislation No. 3 reported the following amendment to the Bill, S. B. 654, to-wit:

**AMENDMENT TO S. B. 654**

Amend Senate Bill 654, page 5, section 7, line 1, by striking after the word "be" the following: "expended"

Further amend Senate Bill 654, page 5, Section 7, lines 2 and 3 by striking in their entirety and inserting the following new language: paid out of Greater Mobile-Washington County Mental Health-Mental Retardation Board, Inc. The fund shall be expended by said board in Mobile County only, for mental health purposes and all other purposes specified and allowed in Act 310 of the 1967 Regular Session of the Alabama Legislature.

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Hale	Manley
Amari	Dixon	Hand	Menton
Bedsole	Drinkard	Hilliard	Mitchem
Bishop	Ellis	Holmes	Parsons
Cabaniss	Figures	Horn	Preuitt
Campbell	Foshee	Langford	Rice
Corbett	Goodwin		

—25

*Nays:*

—0



**REGULAR SESSION  
28th Day**

1883

And said Bill, S. B. 654, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedsole	Drinkard	Hilliard	Smith (B)
Corbett	Ellis	Holmes	Smith (J)
Covington	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Hand, B. I. R., H. B. 481, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Parsons
Amari	Cabaniss	Hale	Preuitt
Bailey	Denton	Hand	Rice
Barron	Dial	Holmes	Sanders
Bedford	Dixon	Horn	Smith (B)
Bedsole	Figures	Menton	Smith (J)
Bennett	Foshee		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 481. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Parsons
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hand	Rice
Barron	Dixon	Manley	Sanders
Bedsole	Drinkard	Menton	Smith (B)
Corbett	Ellis	Mitchem	Smith (J)
Covington	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Hand, B. I. R., H. B. 798, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Hale	Manley
Amari	Cabaniss	Hand	Menton
Bailey	Campbell	Hilliard	Rice
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Smith (B)
Bedsole	Dixon	Langford	Smith (J)
Bennett	Goodwin		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 798. Relating to Mobile County; providing that the county commission shall call for a public hearing to be held a certain time prior to approving any landfill project and dirt pits in said county and empowering the county commissioner representing the commission district in which such proposed landfill and dirt pits are to be located with veto power over any commission decision approving such landfill project and dirt pits if such public hearing is not called as provided for in this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	Covington	Hand	Mitchem
Barron	deGraffenried	Holmes	Parsons
Bedsole	Denton	Horn	Preuitt
Bishop	Ellis	Langford	Rice
Cabaniss	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Hand, B. I. R., H. B. 924, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Manley
Bedford	Dixon	Hand	Menton
Bedsole	Drinkard	Hilliard	Mitchem
Cabaniss	Ellis	Holmes	Parsons
Campbell	Figures	Horn	Preuitt
Corbett	Foshee	Langford	Rice
Covington	Goodwin		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 924. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Senators:	Campbell	Foshee	Manley
Amari	Denton	Goodwin	Menton
Bailey	Dial	Hand	Mitchem
Barron	Dixon	Holmes	Parsons
Bedsole	Drinkard	Horn	Preuitt
Bishop	Ellis	Langford	Rice
Cabaniss	Figures		

—25

**Nays:**

—0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., S. B. 661, adopted.

Yeas 25; Nays 0.

**Yeas:**

Senators:	Denton	Hand	Mitchem
Bedford	Dial	Hilliard	Preuitt
Bedsole	Dixon	Holmes	Rice
Bennett	Drinkard	Horn	Sanders
Bishop	Ellis	Langford	Smith (B)
Cabaniss	Figures	Manley	Smith (J)
Campbell	Hale		

—25

**Nays:**

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 661. Relating to Marshall County; authorizing an increase in the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the Marshall County School Tax District (commonly referred to as District No. 1 and consisting of all of said county except the City of Guntersville, the City of Albertville and the City of Arab school districts) in said county in accordance with Amendment No. 373 to said Constitution of Alabama 1901; providing that such increased district ad valorem tax shall be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year shall be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year shall be due and payable October 1, 1992) for public school purposes and providing that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said Marshall County School Tax District in a special referendum election called and held for such purpose in accordance with the laws governing special elections.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Mitchem
Bedford	Drinkard	Hilliard	Smith (B)
Bishop	Ellis	Holmes	Smith (J)
Cabaniss	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator deGraffenried, B. I. R., S. B. 653, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Langford
Amari	deGraffenried	Hale	Manley
Bailey	Denton	Hand	Rice
Barron	Dial	Hilliard	Sanders
Bedford	Dixon	Holmes	Smith (B)
Bedsole	Drinkard	Horn	Smith (J)
Bennett	Foshee		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 653. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 1 (being all that part of the said county lying North and West of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Menton
Bedford	deGraffenried	Hilliard	Preuitt
Bedsole	Ellis	Holmes	Rice
Bennett	Figures		

—25

Nays:

—0

REGULAR SESSION  
28th Day

1887

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., S. B. 663, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Mitchem
Amari	Dial	Hale	Preuitt
Bailey	Dixon	Hand	Rice
Bedsole	Drinkard	Hilliard	Sanders
Bennett	Ellis	Holmes	Smith (B)
Bishop	Figures	Horn	Smith (J)
Cabaniss	Foshee		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 663. Relating to Marshall County; providing that the Marshall County Commission shall be authorized to levy sales and use taxes paralleling the state sales and use taxes with the same exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing that there shall be excluded from any such levy any incorporated municipality in Marshall County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Langford
Amari	Denton	Goodwin	Manley
Bailey	Dial	Hale	Mitchem
Barron	Dixon	Hand	Preuitt
Bedford	Drinkard	Holmes	Rice
Bedsole	Ellis	Horn	Sanders
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., S. B. 694, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Hilliard
Amari	Cabaniss	Figures	Manley
Bailey	Campbell	Foshee	Menton
Barron	Denton	Goodwin	Rice
Bedford	Dial	Hale	Smith (B)
Bedsole	Dixon	Hand	Smith (J)
Bennett	Drinkard		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 694. Relating to Lee County; providing further for the appointment of the county license inspector.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	Corbett	Hand	Mitchem	
Bedford	Drinkard	Hilliard	Parsons	
Bedsole	Ellis	Holmes	Rice	
Bennett	Figures			—25

**Nays:**

—0

**BUDGET ISOLATION RESOLUTION**

Senator deGraffenried, B. I. R., S. B. 656, adopted.

Yeas 25; Nays 0.

**Yeas:**

Senators:	Bishop	Foshee	Horn	
Amari	deGraffenried	Goodwin	Preuitt	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

**Nays:**

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 656. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 2 (being all that part of the said county lying South and East of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama, and that portion of the unincorporated area of the county which is under the jurisdiction and control of the Tuscaloosa City Board of Education), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

REGULAR SESSION  
28th Day

1889

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Parsons
Amari	deGraffenried	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Bennett	Dixon	Hand	Sanders
Bishop	Drinkard	Menton	Smith (B)
Cabaniss	Ellis	Mitchem	Smith (J)
Campbell	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., S. B. 665, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Langford
Amari	Cabaniss	Hale	Manley
Bailey	Campbell	Hand	Menton
Barron	Corbett	Hilliard	Mitchem
Bedford	Covington	Holmes	Smith (B)
Bedsole	Ellis	Horn	Smith (J)
Bennett	Foshee		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 665. Applying only to Bibb County; regulating use and identifying certain mobile homes; providing for the use of decals for such purpose; and providing fees and penalties.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Parsons
Amari	Denton	Hand	Preuitt
Bailey	Dial	Hilliard	Rice
Barron	Dixon	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., S. B. 666, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Menton
Bedford	Covington	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 666. Applying only to Bibb County; providing for the creation of a county license inspector and deputy county license inspector; providing for delinquency and citation fees, commissions and penalties allowable to such inspector; providing that all license inspector's fees, commissions and penalties be paid into the county general fund for the use of the county; and repealing all conflicting provisions of law.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Menton
Bedford	Covington	Hilliard	Preuitt
Bedsole	Dial	Holmes	Rice
Bennett	Ellis		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., H. B. 752, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Denton	Goodwin	Mitchem
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

Nays:

—0



REGULAR SESSION  
28th Day

1891

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 752. Relating to Blount County; To provide for a special recording fee of \$2.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Blount County; and to provide for the expenditure of the funds in the office of the judge of probate.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Mitchem
Bedford	Covington	Hilliard	Preuitt
Bedsale	Ellis	Holmes	Rice
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bishop, B. I. R., H. B. 712, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Parsons
Amari	Dixon	Hand	Preuitt
Bailey	Drinkard	Hilliard	Rice
Barron	Ellis	Holmes	Sanders
Bishop	Figures	Horn	Smith (B)
Corbett	Foshee	Langford	Smith (J)
Covington	Goodwin		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 712. Relating to Walker County; amending Act No. 113, H. 69, 1965 First Special Session, which establishes a civil service system for the City of Jasper, so as to provide further for the compensation of members of the Civil Service Board.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Rice
Bedsale	Ellis	Holmes	Sanders
Bishop	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., H. B. 783, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons	
Amari	Cabaniss	Goodwin	Preuitt	
Bailey	Campbell	Hale	Rice	
Barron	Corbett	Manley	Sanders	
Bedford	Covington	Menton	Smith (B)	
Bedsale	Ellis	Mitchem	Smith (J)	—25
Bennett	Figures			
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 783. Relating to Geneva County; to provide for the compensation of the revenue commissioner in said county, and to specifically repeal parts of Section 6, Act 651, Regular Session 1978 (Acts 1978, p. 923) in conflict herewith.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Manley	
Barron	Covington	Hand	Menton	
Bedford	Denton	Hilliard	Rice	
Bedsale	Dial	Holmes	Sanders	—25
Bennett	Dixon			
<i>Nays:</i>				—0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., H. B. 856, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Manley	
Barron	Denton	Hand	Mitchem	
Bedford	Dial	Hilliard	Parsons	
Bedsale	Dixon	Holmes	Rice	—25
Bennett	Drinkard			
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 856. Relating to Tallapoosa County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Manley
Bailey	Campbell	Hale	Menton
Barron	Corbett	Hand	Mitchem
Bedford	Denton	Hilliard	Parsons
Bedsole	Ellis	Holmes	Rice
Bennett	Figures		

—25

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 318. To amend Sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which sections provide for the regulation of fireworks in Alabama, so as to provide further for such regulation.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Bedford, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 318, the title of which is set out in the foregoing Message from the House, to-wit:

**AMENDMENT TO S. B. 318**

Amend Senate Bill 318, Section 1, Page 4, Line 32, after the word "retailer" by striking the following: 350.00 and adding in lieu thereof \$100.00

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hale	Pruitt
Bedford	Denton	Horn	Rice
Cabaniss	Dixon	Manley	Sanders
Campbell	Ellis	Menton	Smith (J)
Corbett	Foshee	Mitchem	

—18

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., H. B. 857, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Ellis	Horn
Amari	Corbett	Figures	Manley
Bailey	Covington	Foshee	Menton
Barron	Denton	Goodwin	Mitchem
Bedford	Dial	Hale	Parsons
Bedsole	Dixon	Hand	Rice
Bennett	Drinkard		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 857. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Jackson Gap, in Tallapoosa County.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Horn
Amari	Denton	Goodwin	Manley
Bailey	Dial	Hale	Menton
Barron	Dixon	Hand	Mitchem
Bedford	Drinkard	Hilliard	Parsons
Bishop	Ellis	Holmes	Rice
Campbell	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., H. B. 894, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Mitchem
Amari	Corbett	Goodwin	Parsons
Bedford	Denton	Hale	Preuitt
Bedsole	Dial	Hand	Rice
Bennett	Dixon	Manley	Sanders
Bishop	Ellis	Menton	Smith (J)
Cabaniss	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 894. Relating to Limestone County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any

**REGULAR SESSION  
28th Day**

1895

rays of artificial light in a certain manner and under certain conditions; to provide for certain exceptions and to prescribe penalty for violation.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Horn
Barron	Denton	Goodwin	Menton
Bedford	Dial	Hale	Mitchem
Bedsole	Dixon	Hand	Rice
Bennett	Drinkard	Hilliard	Sanders
Bishop	Ellis	Holmes	Smith (J)
Cabaniss	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., H. B. 930, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Langford
Amari	Denton	Goodwin	Manley
Bailey	Dial	Hale	Menton
Bedford	Dixon	Hand	Mitchem
Campbell	Drinkard	Holmes	Parsons
Corbett	Ellis	Horn	Rice
Covington	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 930. Relating to Lee County; authorizing the Lee County Board of Health to annually fix a schedule of fees for services rendered pursuant to the duties with which the board is charged; to provide for the annual examination and approval of such fee schedules by the county commission; to authorize the exemption of certain persons from paying said fees; to authorize the county board of health to promulgate rules and regulations proper for the administration of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Langford
Amari	Cabaniss	Goodwin	Manley
Bailey	Campbell	Hale	Menton
Barron	Corbett	Hilliard	Mitchem
Bedford	Covington	Holmes	Parsons
Bedsole	Dixon	Horn	Rice
Bennett	Ellis		

—25

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. White (F), Starkey, and Harvey:

H. J. R. 445. NAMING THE NEW BRIDGES OVER THE CONECUH RIVER ON U.S. HIGHWAY 29 IN ESCAMBIA COUNTY, THE E. CRUM FOSHEE BRIDGES.

WHEREAS, Senator E. Crum Foshee has worked hard and diligently as a member of the Joint Highway Committee to see that a very dangerous life hazard situation that existed on bridges crossing the Conecuh River on U.S. Highway 29 in Escambia County were replaced with new and safe bridges; and

WHEREAS, without his efforts these bridges might not have been replaced for years to come, now therefore;

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby name these bridges in honor of Senator Foshee and request the Highway Department to erect signs naming these bridges the E. Crum Foshee Bridges.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided to the Highway Department and to Senator Crum Foshee.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 445, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

Senator Hand, B. I. R., H. B. 933, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Corbett	Hand	Rice
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 933. Relating to the Twenty-eighth Judicial Circuit; providing for certain county salary supplements for the circuit judges and district attorney

**REGULAR SESSION  
28th Day**

1897

in said circuit in lieu of any local salary supplements and expense allowances heretofore provided by law for such judges and district attorney; prescribing the manner and time frame within which such county salary supplements shall be paid from the county general fund of the county containing said circuit and prescribing certain conditions which may be relative to the payment of such salary supplements.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley
Bedford	Denton	Goodwin	Menton
Bedsole	Dial	Hand	Mitchem
Bennett	Dixon	Holmes	Preuitt
Bishop	Drinkard	Horn	Rice
Cabaniss	Ellis	Langford	Sanders
Campbell	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Hale, B. I. R., H. B. 945, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Manley
Amari	Denton	Hale	Menton
Bailey	Dial	Hilliard	Mitchem
Barron	Dixon	Holmes	Preuitt
Bedford	Drinkard	Horn	Rice
Bedsole	Ellis	Langford	Sanders
Bennett	Figures		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 945. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Manley
Bedford	Denton	Hale	Menton
Bishop	Dial	Hilliard	Mitchem
Cabaniss	Dixon	Holmes	Preuitt
Campbell	Drinkard	Horn	Rice
Corbett	Ellis	Langford	Sanders
Covington	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bishop, B. I. R., H. B. 946, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Horn	
Amari	Corbett	Goodwin	Langford	
Bailey	Denton	Hale	Parsons	
Barron	Dial	Hand	Preuitt	
Bedford	Drinkard	Hilliard	Rice	
Bedsole	Ellis	Holmes	Sanders	
Bishop	Figures			—25

*Nays:* —0**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 946. Relating to Pickens County; to provide further for the expense allowance of the county coroner and to provide for retroactive effect.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Horn	
Amari	Corbett	Goodwin	Manley	
Bailey	Dial	Hale	Parsons	
Barron	Dixon	Hand	Preuitt	
Bedford	Drinkard	Hilliard	Rice	
Bedsole	Ellis	Holmes	Sanders	
Bishop	Figures			—25

*Nays:* —0**BUDGET ISOLATION RESOLUTION**

Senator Hale, B. I. R., H. B. 947, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hale	Menton	
Amari	Dial	Hilliard	Mitchem	
Bailey	Dixon	Holmes	Parsons	
Bennett	Drinkard	Horn	Preuitt	
Campbell	Ellis	Langford	Rice	
Corbett	Figures	Manley	Sanders	
Covington	Foshee			—25

*Nays:* —0**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 947. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.



**REGULAR SESSION  
28th Day**

1899

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Holmes	Parsons
Amari	Dial	Horn	Preuitt
Bailey	Dixon	Langford	Rice
Barron	Ellis	Manley	Sanders
Bishop	Foshee	Menton	Smith (B)
Cabaniss	Hale	Mitchem	Smith (J)
Campbell	Hilliard		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Holmes, B. I. R., H. B. 954, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley
Bailey	Denton	Goodwin	Menton
Bennett	Dial	Hale	Mitchem
Bishop	Dixon	Hand	Parsons
Cabaniss	Drinkard	Holmes	Preuitt
Campbell	Ellis	Langford	Rice
Corbett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 954. Relating to Calhoun County; amending Act No. 80-86, 1980 Regular Session (Acts of 1980 Regular Session), so as to increase the fee for issuance of pistol permits to persons under age 65 by the sheriff; and to change the method of distribution of such fees.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley
Amari	Denton	Goodwin	Menton
Bedford	Dial	Hale	Mitchem
Bedsale	Dixon	Hand	Parsons
Bennett	Drinkard	Holmes	Preuitt
Bishop	Ellis	Langford	Rice
Corbett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., H. B. 955, adopted.

1900

JOURNAL OF THE SENATE, 1987  
28th Day

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Menton
Amari	Cabaniss	Hand	Mitchem
Bailey	Campbell	Hilliard	Parsons
Barron	Corbett	Holmes	Preuitt
Bedford	Covington	Horn	Rice
Bedsole	Drinkard	Manley	Sanders
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 955. Relating to Chilton County; abolishing the office of county treasurer; investing all the duties and powers of the county treasurer under the supervision of a county official designated as county administrator; and providing for the appointment and compensation of such county administrator.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Menton
Amari	Cabaniss	Hand	Mitchem
Bailey	Campbell	Hilliard	Parsons
Barron	Corbett	Holmes	Preuitt
Bedford	Dial	Horn	Rice
Bedsole	Ellis	Manley	Sanders
Bennett	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., H. B. 785, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Menton
Bailey	Denton	Goodwin	Mitchem
Bedford	Dial	Hale	Parsons
Bedsole	Dixon	Hand	Preuitt
Bennett	Drinkard	Hilliard	Rice
Corbett	Ellis	Langford	Sanders
Covington	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 785. Relating to Houston County; authorizing branch banking.  
was read a third time at length and passed.

**REGULAR SESSION  
28th Day**

1901

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn
Bailey	Denton	Goodwin	Langford
Bedford	Dial	Hale	Manley
Bedsole	Dixon	Hand	Menton
Bennett	Drinkard	Hilliard	Preuitt
Bishop	Ellis	Holmes	Rice
Cabaniss	Figures		

—25

*Nays:* —0

Senator Bailey moved that the Senate reconsider the vote by which the Bill, H. B. 785, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 922, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Holmes
Amari	Cabaniss	Foshee	Horn
Bailey	Denton	Goodwin	Langford
Barron	Dial	Hale	Manley
Bedford	Dixon	Hand	Menton
Bedsole	Drinkard	Hilliard	Preuitt
Bennett	Ellis		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 922. To provide that the City Council of the City of Sylacauga, Alabama, Talladega County, may by ordinance, adopted not less than six (6) months prior to the regular municipal election, divide the municipality into single-member districts; to provide residency requirements for candidates seeking election to the council from said districts; to provide that candidates for council member be elected by only the electors of the district they wish to represent; to provide procedures for filling a vacancy in the office of the mayor in any such municipality; and to require the municipal clerk to file a certified copy of the ordinance, together with a map or plat of the city or town showing the boundaries of such districts, with the Probate Judge of the county or counties in which the municipality is located.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Langford	
Amari	Denton	Hale	Manley	
Bailey	Dial	Hand	Menton	
Barron	Dixon	Hilliard	Mitchem	
Bedford	Drinkard	Holmes	Preuitt	
Corbett	Ellis	Horn	Sanders	
Covington	Figures			—25

<i>Nays:</i>				—0
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**BUDGET ISOLATION RESOLUTION**

Senator Drinkard, B. I. R., H. B. 302, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons	
Amari	Cabaniss	Goodwin	Preuitt	
Bailey	Campbell	Hale	Rice	
Barron	Corbett	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

<i>Nays:</i>				—0
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 302. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sardis City, Alabama, in Etowah County.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hale	Menton	
Amari	Denton	Hand	Mitchem	
Bailey	Dial	Hilliard	Parsons	
Cabaniss	Drinkard	Holmes	Preuitt	
Campbell	Figures	Horn	Rice	
Corbett	Foshee	Manley	Sanders	
Covington	Goodwin			—25

<i>Nays:</i>				—0
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**BUDGET ISOLATION RESOLUTION**

Senator Langford, B. I. R., H. B. 808, adopted.

REGULAR SESSION  
28th Day

1903

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Langford	Rice
Barron	Dixon	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 808. Relating to Montgomery County; authorizing the Montgomery County Commission and the Montgomery County Sheriff's Department to prohibit the overgrowth of weeds, the storage and accumulation of junk, inoperable motor vehicles and other litter; requiring a county license to operate a junkyard; and providing penalties for violations.

WHEREAS, accumulation or storage of junk, trash, scrap materials, rubbish, tires, inoperable motor vehicles, litter, debris, and other matter, all or any one or combination thereof, on premises within the unincorporated territory of Montgomery County constitutes a real and present danger and hazard to the health and safety of the citizens of the county; and

WHEREAS, such storage and accumulations are widespread and have caused reduction in the value of neighboring premises; now therefore, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton
Amari	Cabaniss	Goodwin	Mitchem
Bailey	Campbell	Hale	Parsons
Barron	Denton	Hand	Preuitt
Bedford	Dial	Hilliard	Rice
Bedsole	Drinkard	Manley	Sanders
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 956, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Langford
Amari	Dial	Hale	Preuitt
Bailey	Dixon	Hand	Rice
Barron	Drinkard	Hilliard	Sanders
Bedford	Ellis	Holmes	Smith (B)
Bedsole	Figures	Horn	Smith (J)
Bennett	Foshee		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 956. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Manley	
Barron	Denton	Hand	Mitchem	
Bedford	Drinkard	Hilliard	Preuitt	
Bedsole	Ellis	Holmes	Sanders	
Bennett	Figures			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Langford, B. I. R., H. B. 962, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Langford	
Amari	Denton	Goodwin	Menton	
Bailey	Dial	Hale	Mitchem	
Barron	Dixon	Hand	Parsons	
Bedford	Drinkard	Hilliard	Preuitt	
Bedsole	Ellis	Holmes	Rice	
Bennett	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 962. Relating to Elmore County; providing for a special indexing fee on documents filed in the office of the judge of probate.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Amari	Denton	Hale	Mitchem	
Bailey	Dial	Hand	Parsons	
Barron	Dixon	Hilliard	Preuitt	
Bedford	Ellis	Holmes	Rice	
Bedsole	Figures	Langford	Sanders	
Bennett	Foshee			—25

*Nays:*

—0

**REGULAR SESSION  
28th Day**

1905

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 971, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Drinkard	Holmes
Amari	Cabaniss	Foshee	Horn
Bailey	Campbell	Goodwin	Langford
Barron	Corbett	Hale	Mitchem
Bedford	Covington	Hand	Rice
Bedsole	deGraffenried	Hilliard	Sanders
Bennett	Dial		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 971. Relating to Cleburne County, to provide that the probate judge shall be paid on a pro-rata basis out of the ad valorem tax proceeds collected each year into the county general fund, effective October 1, 1987; to create a special account in the general fund for such taxes collected, and to authorize the probate judge to attend professional conventions, workshops and other professional seminars or meetings and to become a member of professional organizations, all of which is to be paid from the funds remaining in said special account after the judge is compensated.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	deGraffenried	Hilliard	Preuitt
Bedford	Dial	Horn	Rice
Bedsole	Drinkard	Manley	Sanders
Bishop	Ellis		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., S. B. 698, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Langford
Amari	Denton	Goodwin	Manley
Bailey	Dial	Hale	Menton
Barron	Dixon	Hand	Mitchem
Bedford	Drinkard	Holmes	Parsons
Bedsole	Ellis	Horn	Rice
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 698. Relating to Lee County; authorizing the county commission to levy and collect a one-half percent sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; prescribing penalties and fixing punishment for violation of this act; and providing for termination of this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	Corbett	Hand	Mitchem	
Bedford	Covington	Holmes	Parsons	
Bedsole	Drinkard	Horn	Rice	
Bennett	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., S. B. 700, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Langford	
Bailey	Denton	Hale	Manley	
Bennett	Dial	Hand	Menton	
Bishop	Dixon	Hilliard	Mitchem	
Cabaniss	Drinkard	Holmes	Parsons	
Corbett	Ellis	Horn	Rice	
Covington	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 700. Relating to Lee County; authorizing the county commission to levy an additional ad valorem tax in said county to be distributed to the general fund of the county and to the three school systems; and providing for a referendum.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



**REGULAR SESSION  
28th Day**

1907

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley	
Amari	Denton	Hale	Menton	
Bailey	Dial	Hand	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Rice	
Bennett	Ellis	Langford	Sanders	
Bishop	Figures			—25
<i>Nays:</i>				—0

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., S. B. 699, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton	
Amari	Corbett	Hale	Mitchem	
Bailey	Denton	Hand	Preuitt	
Bedford	Dial	Holmes	Rice	
Bedsole	Dixon	Horn	Smith (B)	
Bennett	Ellis	Manley	Smith (J)	
Bishop	Figures			—25
<i>Nays:</i>				—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 699. Relating to Lee County; authorizing the county commission to levy and collect a one percent sales tax paralleling the state sales tax provided for in sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, outside the corporate limits of Auburn and Opelika; providing for the collection of such tax by the state department of revenue; providing for distribution and use of the proceeds; and prescribing penalties and fixing punishment for violation of this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dial	Hand	Menton	
Amari	Dixon	Hilliard	Mitchem	
Barron	Ellis	Holmes	Parsons	
Bedsole	Figures	Horn	Rice	
Bishop	Foshee	Langford	Smith (B)	
Corbett	Goodwin	Manley	Smith (J)	
Denton	Hale			—25
<i>Nays:</i>				—0

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1062. Relating to Dallas County; amending the title and section 1 of Act No. 415, H. 745, 1978 Regular Session (Acts 1978, p. 412) which act established the Dallas County Law Library Fund, so as to increase certain court costs to be paid to the said Law Library Fund.

Also:

H. 1071. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 2 (being all that part of the said county lying South and East of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama, and that portion of the unincorporated area of the county which is under the jurisdiction and control of the Tuscaloosa City Board of Education), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

Also:

H. 1072. To authorize the governing body of Tuscaloosa County, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Tuscaloosa County, on all taxable property situated within the special school tax district in the said county known as School District No. 1 (being all that part of the said county lying North and West of the Black Warrior River except the territory lying within the corporate limits of the City of Tuscaloosa, Alabama), the special ad valorem tax for public school purposes which is authorized in Section 2 of Amendment No. 3 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.40 on each one hundred dollars (14 mills on each dollar) of assessed value.

Also:

H. 1105. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 549. To further provide for the regulation of horse racing and pari-mutuel wagering thereon; to amend Sections 11-65-2, 11-65-16, 11-65-19 and 11-65-22, Code of Alabama 1975, relating to the requirements that must be satisfied by any person applying for a license to own or operate a horse racing facility and any person holding or acquiring an interest in the holder of such an owner's or operator's license, so as to eliminate any requirement that any such person (or any director or officer thereof) must be or must have been for any specified period of time a resident of the State of Alabama or must apply for permission to acquire an interest in the owner or operator and any limitation on the percentage of ownership that may be acquired in an owner or an operator by one person or family group; to provide that ownership of an interest in an owner or operator may not be held or acquired by a disqualified person and to allow a commission to require the disposition of the interest of any person in an owner or operator if such person is a disqualified person; to amend Section 11-65-10, Code of Alabama 1975, relating to the powers and duties of a racing commission; to amend Section 11-65-2, Code of Alabama 1975, to include a definition of a "disqualified person"; and to provide that the provisions of this act shall apply prospectively.

Also:

H. 826. Relating to Cherokee County; to create a license-issuing division or office within the offices of the county courthouse for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to such system of renewal of motor vehicle licenses by mail, such fees shall be set by the county commission, from time to time, to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting certain taxes, the issuance of licenses by such license-issuing division; to provide for the performance of certain duties heretofore performed by the tax collector, tax assessor and probate judge by said division in the office as designated by the county commission; to provide for certain compensation for any interim; and to provide for a referendum and the county commission passing a resolution; and to provide for the effective date of this act.

Also:

H. 858. Relating to Clarke County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the revenue commissioner, relieving the probate judge of such duties; repealing conflicting acts; and providing for an advisory referendum.

Also:

H. 859. Relating to Clarke County; providing for the creation, appointment, powers and duties of a county license inspector; providing for delinquency and citation fees, commissions and penalties allowable to such inspector;

and providing that all license inspector's fees, commissions and penalties be paid into the county general fund for the use of the county; providing for the county commission to set the compensation of such officer; and providing for an advisory referendum.

Also:

H. 860. To create the office of commissioner of licenses in Clarke County; to provide for the issuance of all licenses except marriage licenses; to prescribe the powers, duties and authority of the commissioner of licenses; to provide for the election of such commissioner, his term, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties and records of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed; and to provide for an advisory referendum.

Also:

H. 862. Relating to Clarke County; to change the method of compensating the judge of probate; to fix such compensation; to provide that fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall be collected and paid into the general fund of the county and the salary paid from the said general fund; to make provision for a chief clerk and other personnel, quarters and supplies for the probate office; and to provide for an advisory referendum.

Also:

H. 863. Proposing an amendment to the Constitution of Alabama of 1901, relative to the fees and compensation of the judge of probate of Clarke County.

Also:

H. 888. Relating to the Assistant District Attorney of Crenshaw County and providing further for the compensation of such office and the authority of the Crenshaw County Commission to make certain increases in the compensation, from time to time, for such office; providing that the provisions of this act shall be retroactive to October 1, 1983.

Also:

H. 899. To alter or rearrange the boundary lines of the City of Elba, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

Also:

H. 912. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of not less than five nor more than eight aldermen to be elected from districts and a council president to be elected at large.

REGULAR SESSION  
28th Day

1911

Also:

H. 919. Relating to Randolph County and the levying and collecting of taxes; amending Section 3 of Act No. 85-466, H. 166, Regular Session 1985, which section relates to the office of revenue commissioner in Randolph County and the election therefor; amending Section 12 of said act, relating to the effectiveness of the referendum on the question of abolishing the local office of tax assessor and tax collector and establishing the office of revenue commissioner; providing for the functioning of the office of revenue commissioner commencing October 1991, and the abolishment of the offices of the tax assessor and tax collector simultaneously; providing for the retroactive effect of this act to May 7, 1985; and amending Section 2 of said act so as to make a typographical correction.

Also:

H. 927. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

Also:

H. 928. Relating to Clarke County; providing further for the qualifications of the county superintendent of education.

Also:

H. 929. Relating to Chambers County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for industrial development purposes and providing for a referendum.

Also:

H. 952. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Butler, in Choctaw County.

Also:

H. 961. Relating to Autauga County; approving and authorizing the Autauga County Commission to levy an increase of the countywide public school ad valorem tax presently being levied pursuant to Amendment No. 3 to the Constitution of Alabama of 1901 at the rate of three mills in Autauga County from the present millage to nineteen mills, all in accordance with Amendment No. 373 to the Alabama Constitution; such increased countywide ad valorem tax to be levied and collected by Autauga County for each year beginning with the levy for the tax year October 1, 1987 to September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year October 1, 2003 to September 30, 2004 (the tax for which year will be due and payable October 1, 2004) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of Autauga County at a special election called and held in accordance with the laws governing special elections.

Also:

H. 972. Relating to Cleburne County and the position of license inspector; providing that the county license inspector shall be appointed by

the county commission which shall determine whether such position shall be full-time or part-time; prescribing that the county commission shall set his duties and powers and compensation; and specifically repealing Act No. 79-482, H. 986, Regular Session 1979 (Acts 1979, p. 890), placing such powers and duties in the sheriff of the county; and repealing any laws or parts of laws in conflict herewith.

Also:

H. 996. To fix the fee for the issuance of pistol permits in Monroe County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 997. To fix the fee for the issuance of pistol permits in Conecuh County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 1003. Relating to the City of Mobile in Mobile County; authorizing the governing body to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2 A.M., except between the hours of 9 A.M. and 12 noon; authorizing said governing body to establish within its corporate limits the hours of sale of alcoholic beverages on Sunday after 2 A.M., except between 9 A.M. and 12 noon; and providing for the sale by retail licensees of the alcoholic beverage control board.

Also:

H. 1004. Relating to compensation of the Mobile County Treasurer; amending Section 1 of Act No. 80-338, H. 857, Regular Session 1980 (Acts 1980, p. 458) relating to compensation for such officer, so as to further provide therefor.

Also:

H. 1012. Relating to Bibb County; to authorize the West Alabama District Board of Health to designate the services rendered by the Bibb County Health Department for which a reasonable fee may be charged. The West Alabama District Board of Health is further required to set a maximum fee for each service. The Bibb County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

Also:

H. 1014. Relating to Covington County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as the county revenue commissioner; abolishing the offices of tax assessor and tax collector in said county; prescribing the duties and compensation of such commissioner; providing for a motor vehicle license division within the revenue commissioner's office; prescribing duties and procedures for such division; providing for an optional procedure for the renewal of motor vehicle licenses by mail; authorizing certain additional fees and costs pursuant to such system of

**REGULAR SESSION  
28th Day**

1913

renewal of motor vehicle licenses by mail; providing that this act shall become effective only if approved at a referendum election and providing for an effective date.

Also:

H. 1028. Authorizing the Mobile County Commission to borrow money for general county purposes, and providing for the repayment thereof.

Also:

H. 1029. Relating to Mobile County; authorizing the county commission to levy a business or privilege fee on certain businesses.

Also:

H. 1030. Providing for the Judge of Probate to assess an additional surcharge at the rate of \$10.00 per instrument for all documents submitted for recordation in Probate Court which are subject to a deed or mortgage tax, and providing for these funds and any interest thereon, to be appropriated to the Mobile County General Fund on a monthly basis to be used for general county purposes.

Also:

H. 1055. Relating to the Twenty-ninth Judicial Circuit, in Talladega County; providing further for the compensation of the district attorney.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**BUDGET ISOLATION RESOLUTION**

Senator Rice, B. I. R., S. B. 701, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Horn
Amari	Corbett	Foshee	Manley
Bailey	Covington	Goodwin	Menton
Barron	Denton	Hale	Mitchem
Bedford	Dial	Hand	Parsons
Bedsole	Dixon	Holmes	Rice
Bennett	Ellis		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 701. To propose an amendment to the Constitution of Alabama of 1901, relating to and authorizing the levy and collection, by the governing

body of Lee County, of financial charges or assessments on property within the boundaries of any one or more fire fighting districts in Lee County, the holding of elections within such districts to approve the rate or rates and duration of such financial charges or assessments, providing that such financial charges or assessments need not be assessed in exact proportion to value, and providing for the expenditure of the proceeds from such financial charges or assessments; to fix a date for an election upon such proposed amendment; and to provide for publication of notice thereof prior to such election.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Horn	
Amari	Covington	Figures	Manley	
Bailey	deGraffenried	Foshee	Menton	
Barron	Denton	Hale	Mitchem	
Bedford	Dial	Hand	Parsons	
Bedsole	Dixon	Holmes	Rice	
Campbell	Drinkard			—25

*Nays:* —0

### BUDGET ISOLATION RESOLUTION

Senator Rice, B. I. R., S. B. 702, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Langford	
Amari	Denton	Hale	Manley	
Bailey	Dial	Hand	Menton	
Barron	Dixon	Hilliard	Mitchem	
Bedford	Ellis	Holmes	Preuitt	
Bedsole	Figures	Horn	Rice	
Bishop	Foshee			—25

*Nays:* —0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

S. 702. Relating to Lee County; to authorize the county commission, subject to the referendum approval of a majority of the qualified electors of any fire fighting district, to levy and collect charges on property within fire fighting districts of Lee County; to authorize the county commission to establish fire protection districts and enter into agreements with volunteer fire departments for fire protection services in said districts; to provide for the assessment, collection, and use of the proceeds of such charges; and to provide for a procedure of holding referendum elections in fire protection districts in order to ratify the charges herein authorized.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



REGULAR SESSION  
28th Day

1915

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Hand	Menton
Amari	Dial	Hilliard	Mitchem
Bailey	Drinkard	Holmes	Parsons
Barron	Figures	Horn	Rice
Bedford	Foshee	Langford	Smith (B)
Bishop	Goodwin	Manley	Smith (J)
Campbell	Hale		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Hale, B. I. R., S. B. 717, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 717. Relating to Madison County; amending Act No. 488, H. 706, 1978 Regular Session, which provides for the county work release program so as to provide that any person released from jail shall pay to the county a sum equal to 25% of his or her gross earnings earned while so released.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hale	Menton
Amari	Corbett	Hilliard	Mitchem
Bailey	deGraffenried	Holmes	Parsons
Barron	Dial	Horn	Rice
Bedford	Drinkard	Langford	Smith (B)
Bedsole	Figures	Manley	Smith (J)
Bennett	Foshee		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Hale, B. I. R., S. B. 718, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons	
Amari	Cabaniss	Hale	Preuitt	
Bailey	Campbell	Langford	Rice	
Barron	Corbett	Manley	Sanders	
Bedford	Covington	Menton	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	—25
Bennett	Figures			—0

Nays:

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 718. Relating to Madison County, Alabama; amending Act No. 488, H. 706, 1978 Regular Session, which provides for the county work release program so as to provide for a nine member commission to include the chairman of the Madison County Commission.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Holmes	Parsons	
Amari	Dial	Horn	Preuitt	
Barron	Ellis	Langford	Rice	
Bedsole	Figures	Manley	Sanders	
Bishop	Foshee	Menton	Smith (B)	
Cabaniss	Hale	Mitchem	Smith (J)	—25
Campbell	Hilliard			—0

Nays:

**BUDGET ISOLATION RESOLUTION**

Senator Smith (B), B. I. R., S. B. 719, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Parsons	
Amari	Denton	Goodwin	Preuitt	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Manley	Sanders	
Bedford	Drinkard	Menton	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	—25
Bennett	Figures			—0

Nays:

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 719. Relating to Madison County; to provide that the Probate Judge shall not receive for record or permit the recording of any instrument,

**REGULAR SESSION  
28th Day**

1917

conveying title or any interest in real property that does not have legibly printed, typewritten or stamped thereon the Grantee's name and latest complete address.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Hale	Menton
Amari	Covington	Hilliard	Preuitt
Bailey	deGraffenried	Holmes	Rice
Barron	Drinkard	Horn	Sanders
Bedford	Ellis	Langford	Smith (B)
Bishop	Figures	Manley	Smith (J)
Campbell	Foshee		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Smith (B), B. I. R., H. B. 977, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 977. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Huntsville, in Madison County.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Rice
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1088, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Denton	Goodwin	Langford	
Bailey	Dial	Hale	Manley	
Barron	Dixon	Hand	Menton	
Bedford	Drinkard	Hilliard	Mitchem	
Bedsole	Ellis	Holmes	Sanders	
Bennett	Figures			—25

*Nays:* —0**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1088. Relating to Lowndes County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Lowndes County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Lowndes County Commission for the collection of said taxes.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Horn	
Amari	Denton	Goodwin	Langford	
Bailey	Dial	Hale	Manley	
Barron	Dixon	Hand	Parsons	
Bedford	Drinkard	Hilliard	Preuitt	
Bedsole	Ellis	Holmes	Sanders	
Bishop	Figures			—25

*Nays:* —0**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1090, adopted.

**REGULAR SESSION  
28th Day**

1919

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Hand	Menton
Amari	Covington	Hilliard	Mitchem
Bailey	Ellis	Holmes	Parsons
Barron	Figures	Horn	Preuitt
Bishop	Foshee	Langford	Rice
Cabaniss	Goodwin	Manley	Sanders
Campbell	Hale		

*Nays:*

—25

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1090. Relating to Lowndes County; authorizing the Lowndes County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley
Amari	Denton	Goodwin	Menton
Bailey	Dial	Hale	Mitchem
Barron	Dixon	Hand	Parsons
Bedsole	Drinkard	Holmes	Preuitt
Bishop	Ellis	Horn	Sanders
Campbell	Figures		

*Nays:*

—25

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1091, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Menton
Bedford	Denton	Hilliard	Preuitt
Bedsole	Ellis	Holmes	Sanders
Bennett	Figures		

*Nays:*

—25

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1091. Relating to Lowndes County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to

provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Amari	Denton	Goodwin	Menton	
Bailey	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bennett	Drinkard	Horn	Preuitt	
Campbell	Ellis	Langford	Sanders	
Corbett	Figures			—25
				—0

*Nays:*

### BUDGET ISOLATION RESOLUTION

Senator Denton, B. I. R., H. B. 999, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hale	Manley	
Bailey	Dixon	Hand	Menton	
Bishop	Drinkard	Hilliard	Mitchem	
Cabaniss	Ellis	Holmes	Preuitt	
Campbell	Figures	Horn	Rice	
Corbett	Foshee	Langford	Sanders	
Covington	Goodwin			—25
				—0

*Nays:*

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 999. Relating to Lauderdale County, to provide further for the compensation of the members of the county board of education, to provide retroactive effect and to repeal certain acts.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Mitchem	
Bedford	Denton	Hand	Parsons	
Bennett	Dixon	Holmes	Preuitt	
Bishop	Drinkard	Horn	Rice	
Cabaniss	Ellis	Manley	Sanders	
Campbell	Figures			—25
				—0

*Nays:*

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., H. B. 1009, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Langford
Amari	Denton	Goodwin	Manley
Bailey	Dial	Hale	Mitchem
Barron	Dixon	Hand	Preuitt
Bishop	Drinkard	Holmes	Rice
Campbell	Ellis	Horn	Sanders
Corbett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1009. Relating to Marshall County; requiring all lodging facilities located in Lake Guntersville State Park to collect certain lodgings taxes as provided by law.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Mitchem
Amari	Denton	Hilliard	Preuitt
Bailey	Ellis	Holmes	Rice
Bedford	Figures	Horn	Sanders
Bennett	Foshee	Langford	Smith (B)
Cabaniss	Goodwin	Manley	Smith (J)
Corbett	Hale		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., H. B. 1013, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Covington	Figures	Holmes
Amari	deGraffenried	Foshee	Horn
Bailey	Denton	Goodwin	Langford
Barron	Dial	Hale	Manley
Bedford	Dixon	Hand	Mitchem
Bedsale	Drinkard	Hilliard	Smith (J)
Corbett	Ellis		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1013. To fix the fee for the issuance of pistol permits in Marshall County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Manley	
Barron	Corbett	Hand	Mitchem	
Bedford	Covington	Hilliard	Preuitt	
Bedsole	deGraffenried	Holmes	Rice	
Bennett	Figures			—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Hale, B. I. R., H. B. 1016, adopted.

Yeas 25; Nays 0.

*Yeas:*

<b>Senators:</b>	deGraffenried	Hale	Parsons	
Amari	Denton	Horn	Preuitt	
Bailey	Dial	Langford	Rice	
Barron	Dixon	Manley	Sanders	
Campbell	Drinkard	Menton	Smith (B)	
Corbett	Ellis	Mitchem	Smith (J)	
Covington	Figures			—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1016. Relating to Cullman County; providing for the county governing body to reimburse the offices of the revenue commissioner and the probate judge for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing that such funds shall be payable from the general fund of the county.

was read a third time at length and passed.



**REGULAR SESSION  
28th Day**

1923

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Parsons
Amari	Denton	Hale	Preuitt
Bailey	Dial	Hilliard	Rice
Barron	Dixon	Holmes	Sanders
Bedford	Drinkard	Langford	Smith (B)
Bishop	Ellis	Mitchem	Smith (J)
Corbett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., H. B. 1017, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Denton	Goodwin	Mitchem
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1017. Relating to Marshall County; authorizing the Marshall County Commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and distribution of the proceeds therefor; providing for an advisory referendum on the issue of adding such additional county tax; prescribing misdemeanor penalties against those who violate the provisions of this act; and construing that the provisions of this act are cumulative.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Mitchem
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Holmes	Rice
Barron	Dixon	Horn	Sanders
Bedford	Drinkard	Langford	Smith (B)
Bedsole	Ellis	Manley	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator deGraffenried, B. I. R., H. B. 742, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	deGraffenried	Goodwin	Langford	
Bailey	Dial	Hale	Manley	
Barron	Dixon	Hand	Menton	
Bedford	Drinkard	Hilliard	Mitchem	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 742. To authorize the City of Tuscaloosa, Tuscaloosa County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Mitchem	
Barron	Corbett	Hand	Sanders	
Bedford	deGraffenried	Hilliard	Smith (B)	
Bedsole	Dial	Holmes	Smith (J)	
Bennett	Dixon			—25

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 152. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board for Registration of Architects as provided in

REGULAR SESSION  
28th Day

1925

Section 34-2-38 specifically, and as provided in Sections 34-2-30 through 34-2-42 generally, of the Code of Alabama 1975, with certain modifications; to amend Sections 34-2-32, 34-2-33, 34-2-35, and 34-2-40, so as to provide further certain structures to which Article 2 of Title 34 does not apply; to provide further for the qualifications of applicants of the board and the fees and renewal fees of the board's licenses; to provide for the licensing of corporations and partnerships; to prohibit certain practices; and to provide further for meetings and officers of the board.

said Governor's Message being in words and figures as follows, to-wit:

**MESSAGE FROM THE GOVERNOR**

To The House of Representatives of Alabama  
Alabama State House  
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Bill No. 152, without the Governor's signature and with a suggested Executive Amendment.

Respectfully submitted,

JOHN E. GRENIER,  
Executive Secretary.

DONE this 11th day of June, 1987.

**MESSAGE FROM THE GOVERNOR**

To The House of Representatives of Alabama  
Alabama State House  
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 152, without my approval and with the following suggested Executive Amendment:

**EXECUTIVE AMENDMENT TO HOUSE BILL NO. 152:**

On page 7, lines 27 through 30, and on page 8, line 1, delete the following language:

~~Architects seeking to incorporate or corporations seeking changes in name or amendments to the Articles of Incorporation must obtain approval of the board prior to filing such changes or amendments with the Secretary of State.~~

In lieu of the above deleted language, substitute the following language after the word "firm," on page 7, line 27:

Any architect who files Articles of Incorporation or any corporation which files an amendment to its Articles of Incorporation must file a copy of the Articles of Incorporation or the amendment with the board simultaneously with or within (30) thirty days of filing same with the Probate Judge of the county of incorporation.

The adoption of the above suggested amendment will remove my objections to this bill.

Respectfully,  
GUY HUNT,  
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 152, by a vote of a majority of those voting, said vote being: Yeas 57, Nays 0.

And said Bill, H. B. 152, together with the Executive amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE AND GOVERNOR'S MESSAGE

On motion of Senator Dixon, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 152, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Campbell	Dixon	Horn	
Bailey	Corbett	Ellis	Manley	
Bedford	deGraffenried	Foshee	Menton	
Bedsole	Denton	Hale	Preuitt	
Bennett	Dial	Hand		—18

*Nays:* —0

which was a majority of the whole number elected to the Senate.

### BUDGET ISOLATION RESOLUTION

Senator Mitchem, B. I. R., H. B. 1018, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Manley	
Barron	Dial	Hand	Mitchem	
Bedford	Drinkard	Hilliard	Preuitt	
Bedsole	Ellis	Holmes	Rice	
Bennett	Figures			—25

*Nays:* —0

### BILLS ON THIRD READING RESUMED

THE BILL:

H. 1018. Establishing the powers and authority and requirements of district attorney's investigators of the twenty-seventh judicial circuit of Alabama.

REGULAR SESSION  
28th Day

1927

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Mitchem
Amari	Campbell	Hale	Preuitt
Bailey	Corbett	Hand	Rice
Barron	Drinkard	Hilliard	Sanders
Bedford	Ellis	Holmes	Smith (B)
Bedsole	Figures	Horn	Smith (J)
Bishop	Foshee		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bennett, B. I. R., H. B. 513, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Rice
Bennett	Ellis	Holmes	Sanders
Covington	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 513. Relating to Jefferson County, authorizing the Jefferson County Coroner-Medical Examiner's Office to take corneal tissue during the course of autopsy proceedings.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dixon	Hand	Parsons
Amari	Drinkard	Hilliard	Preuitt
Bailey	Ellis	Holmes	Rice
Barron	Figures	Horn	Sanders
Bedford	Foshee	Menton	Smith (B)
Bennett	Goodwin	Mitchem	Smith (J)
Covington	Hale		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., H. B. 1031, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Mitchem
Bedford	Covington	Hilliard	Preuitt
Bedsole	deGraffenried	Holmes	Rice
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1031. Relating to Marshall County; to amend Section 1 of Act No. 588, S. 838, 1977 Regular Session (Acts 1977, p. 781), which provides for the sheriff's employees and deputies, so as to provide further for their number, compensation and clothing allowance; to repeal conflicting acts including Acts No. 621, S. 720, and No. 630, H. 1289, 1976 Regular Session (1976 Acts, pgs. 854 and 868).

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hale	Manley
Amari	Cabaniss	Hand	Menton
Bailey	Campbell	Hilliard	Mitchem
Barron	Denton	Holmes	Sanders
Bedford	Dial	Horn	Smith (B)
Bedsole	Dixon	Langford	Smith (J)
Bennett	Goodwin		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., H. B. 1033, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Horn
Bailey	Denton	Goodwin	Langford
Bishop	Dial	Hale	Rice
Cabaniss	Dixon	Hand	Sanders
Campbell	Drinkard	Hilliard	Smith (B)
Corbett	Ellis	Holmes	Smith (J)
Covington	Figures		

—25

Nays:

—0

REGULAR SESSION  
28th Day

1929

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1033. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gordon, in Houston County.  
was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn
Bailey	Denton	Goodwin	Preuitt
Bishop	Dial	Hale	Rice
Cabaniss	Dixon	Hand	Sanders
Campbell	Drinkard	Hilliard	Smith (B)
Corbett	Ellis	Holmes	Smith (J)
Covington	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 1035, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Menton
Bedford	Covington	Hilliard	Mitchem
Bedsole	deGraffenried	Holmes	Parsons
Bennett	Dial		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1035. To promote the maintenance of Cleburne County's natural beauty by eliminating unsightly and unhealthy litter; to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified; to grant power and authority to the Cleburne County Health Department to enforce littering laws in Cleburne County; and to prescribe fines for violations.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 1036, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Holmes	Parsons	
Amari	Cabaniss	Horn	Preuitt	
Bailey	Campbell	Langford	Rice	
Barron	Corbett	Manley	Sanders	
Bedford	Covington	Menton	Smith (B)	
Bedsole	deGraffenried	Mitchem	Smith (J)	
Bennett	Dial			—25
				—0

*Nays:***BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1036. To authorize a procedure whereby the Sheriff of Cleburne County, Alabama, shall offer for public auction to the highest bidder for cash abandoned and stolen personal and unidentifiable property which has been recovered by the Sheriff's Department of Cleburne County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two (2) weeks in a newspaper of general circulation published in Cleburne County, Alabama, or by posting in a conspicuous place at the Cleburne County Courthouse; to provide that the first publication or posting of said notice shall be twenty (20) days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Cleburne County, Alabama, may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of Cleburne County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Dial	Hale	Manley	
Barron	Dixon	Hand	Menton	
Bedford	Drinkard	Hilliard	Mitchem	
Bedsole	Ellis	Holmes	Parsons	
Bennett	Figures			—25
				—0

*Nays:***BUDGET ISOLATION RESOLUTION**

Senator Hale, B. I. R., H. B. 1039, adopted.



REGULAR SESSION  
28th Day

1931

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Hale	Preuitt
Bailey	Campbell	Hilliard	Rice
Barron	Dixon	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 1039. Proposing an amendment to the Constitution of 1901, as amended, relating to Morgan County and the levy of ad valorem taxes which exist or which hereafter are enacted.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Manley	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Hale, B. I. R., H. B. 1040, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Parsons
Amari	Cabaniss	Hale	Preuitt
Bailey	Campbell	Hilliard	Rice
Barron	Corbett	Manley	Sanders
Bedford	Covington	Menton	Smith (B)
Bedsole	deGraffenried	Mitchem	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 1040. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the

1932

JOURNAL OF THE SENATE, 1987  
28th Day

Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Drinkard	Manley
Amari	Cabaniss	Ellis	Menton
Bailey	Campbell	Figures	Mitchem
Barron	Corbett	Hale	Parsons
Bedford	Denton	Horn	Smith (B)
Bedsole	Dial	Langford	Smith (J)
Bennett	Dixon		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Hale, B. I. R., H. B. 1041, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Holmes	Parsons
Amari	Covington	Horn	Preuitt
Bailey	deGraffenried	Langford	Rice
Barron	Dixon	Manley	Sanders
Bedford	Foshee	Menton	Smith (B)
Cabaniss	Hale	Mitchem	Smith (J)
Campbell	Hilliard		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1041. Relating to Morgan County; to authorize the Morgan County Commission to impose an additional excise tax on persons, corporations, partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county not to exceed one (1) cent additional tax per gallon; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Morgan County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Morgan County Commission for the collection of said taxes; and to provide such taxes shall be supplemental to any and all other such taxes.

was read a third time at length and passed.

REGULAR SESSION  
28th Day

1933

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Mitchem
Amari	Cabaniss	Figures	Parsons
Bailey	Campbell	Hale	Preuitt
Barron	Denton	Horn	Rice
Bedford	Dial	Manley	Sanders
Bedsole	Dixon	Menton	Smith (B)
Bennett	Drinkard		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., H. B. 1056, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Parsons
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Menton	Smith (B)
Bedsole	Ellis	Mitchem	Smith (J)
Covington	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1056. Relating to Marshall County; providing that the Marshall County Commission shall be authorized to levy sales and use taxes paralleling the state sales and use taxes with the same exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing that there shall be excluded from any such levy any incorporated municipality in Marshall County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Denton	Goodwin	Mitchem
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., H. B. 1057, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Manley	
Barron	Corbett	Hand	Mitchem	
Bedford	Dixon	Hilliard	Preuitt	
Bedsole	Ellis	Holmes	Rice	
Bennett	Figures			—25
				—0

*Nays:***BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1057. Relating to Marshall County; approving an increase of the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the City of Arab School District (the boundaries of which district are coterminous with the corporate limits of said city) in Marshall County from the present millage to thirteen mills, all in accordance with Amendment No. 373 to said Alabama Constitution; such increased district ad valorem tax to be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year will be due and payable October 1, 1992) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said City of Arab School District at a special election called and held in accordance with the laws governing special elections.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Denton	Goodwin	Mitchem	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Bedsole	Ellis	Holmes	Smith (J)	
Bennett	Figures			—25
				—0

*Nays:***BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B. I. R., H. B. 1058, adopted.

REGULAR SESSION  
28th Day

1935

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Mitchem
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Langford	Smith (B)
Bedsole	Ellis	Manley	Smith (J)
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1058. Relating to Marshall County; authorizing an increase in the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the Marshall County School Tax District (commonly referred to as District No. 1 and consisting of all of said county except the City of Guntersville, the City of Albertville and the City of Arab school districts) in said county in accordance with Amendment No. 373 to said Constitution of Alabama 1901; providing that such increased district ad valorem tax shall be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year shall be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year shall be due and payable October 1, 1992) for public school purposes and providing that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said Marshall County School Tax District in a special referendum election called and held for such purpose in accordance with the laws governing special elections.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Dixon	Holmes
Amari	Campbell	Foshee	Horn
Bailey	Corbett	Goodwin	Mitchem
Barron	Covington	Hale	Sanders
Bedford	deGraffenried	Hand	Smith (B)
Bennett	Denton	Hilliard	Smith (J)
Bishop	Dial		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Campbell, B. I. R., H. B. 1060, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Campbell	Goodwin	Langford
Bailey	Covington	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Rice
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1060. Relating to Lawrence County; to levy an additional filing fee in all cases filed in the probate, municipal, district or circuit courts of the county to be deposited in the Lawrence County Law Library Fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Langford
Bedford	Dial	Hale	Manley
Bedsole	Dixon	Hand	Rice
Bennett	Drinkard	Hilliard	Sanders
Bishop	Ellis	Holmes	Smith (B)
Cabaniss	Figures	Horn	Smith (J)
Campbell	Foshee		

—25

—0

Nays:

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 980, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Manley
Amari	Cabaniss	Goodwin	Menton
Bailey	Dial	Hale	Mitchem
Barron	Dixon	Hand	Parsons
Bedford	Drinkard	Hilliard	Preuitt
Bedsole	Ellis	Holmes	Sanders
Bennett	Figures		

—25

—0

Nays:

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 980. To propose an amendment to the Constitution of Alabama 1901, as amended, for Greene County to provide further for filling certain vacancies in certain county offices.

**REGULAR SESSION  
28th Day**

1937

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Menton
Bedford	Dial	Hilliard	Mitchem
Bedsole	Dixon	Holmes	Sanders
Bennett	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1100, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Manley
Amari	Cabaniss	Foshee	Menton
Bailey	Campbell	Goodwin	Mitchem
Barron	Corbett	Hand	Parsons
Bedford	Covington	Hilliard	Preuitt
Bedsole	Drinkard	Langford	Sanders
Bennett	Ellis		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1100. Relating to Greene County; authorizing the Greene County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Manley
Bedsole	Dixon	Hand	Menton
Bennett	Drinkard	Hilliard	Mitchem
Bishop	Ellis	Holmes	Parsons
Cabaniss	Figures	Horn	Preuitt
Campbell	Foshee	Langford	Sanders
Denton	Goodwin		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1101, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Manley
Amari	Denton	Hand	Menton
Bailey	Dial	Hilliard	Mitchem
Barron	Dixon	Holmes	Parsons
Bedford	Drinkard	Horn	Preuitt
Bedsole	Ellis	Langford	Sanders
Covington	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1101. Relating to Greene County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Greene County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Greene County Commission for the collection of said taxes.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	Covington	Hale	Parsons
Bedsole	deGraffenried	Hand	Preuitt
Bennett	Denton	Hilliard	Rice
Bishop	Ellis	Manley	Sanders
Cabaniss	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1099, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Manley
Amari	Denton	Hand	Menton
Bailey	Dial	Hilliard	Mitchem
Cabaniss	Dixon	Holmes	Parsons
Campbell	Drinkard	Horn	Preuitt
Corbett	Ellis	Langford	Sanders
Covington	Figures		

—25

Nays:

—0



REGULAR SESSION  
28th Day

1939

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1099. Relating to Greene County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Menton
Barron	Corbett	Goodwin	Mitchem
Bedford	Covington	Hale	Parsons
Bedsole	Dixon	Hand	Preuitt
Bennett	Drinkard	Hilliard	Rice
Bishop	Ellis	Manley	Sanders
Cabaniss	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., H. B. 1097, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn
Bailey	Denton	Goodwin	Langford
Bishop	Dial	Hale	Manley
Cabaniss	Dixon	Hand	Sanders
Campbell	Drinkard	Hilliard	Smith (B)
Corbett	Ellis	Holmes	Smith (J)
Covington	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1097. Relating to Henry County; providing for the appointment of the county superintendent of education, and providing for a referendum on the question of whether the electors of the county favor the appointment of the county superintendent of education.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley
Bailey	Denton	Goodwin	Menton
Bedsole	Dial	Hale	Mitchem
Bennett	Dixon	Hand	Parsons
Bishop	Drinkard	Hilliard	Preuitt
Cabaniss	Ellis	Holmes	Rice
Campbell	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1084, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn	
Amari	Denton	Goodwin	Langford	
Bailey	Dial	Hale	Manley	
Cabaniss	Dixon	Hand	Menton	
Campbell	Drinkard	Hilliard	Mitchem	
Corbett	Ellis	Holmes	Sanders	
Covington	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 1084. Relating to Sumter County; to establish in the county treasury an Indigent Health Care Fund to be funded by a portion of the proceeds from certain taxes levied in the county; to create an Indigent Health Care Committee and to provide for appointment of membership; and to authorize such committee to manage, approve and make disbursement of such fund for purpose of indigent health care.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Hilliard	
Amari	Cabaniss	Figures	Manley	
Bailey	Campbell	Foshee	Menton	
Barron	Denton	Goodwin	Mitchem	
Bedford	Dial	Hale	Parsons	
Bedsole	Dixon	Hand	Sanders	
Bennett	Drinkard			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1085, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Horn	
Amari	Corbett	Goodwin	Langford	
Bailey	Covington	Hale	Manley	
Barron	deGraffenried	Hand	Menton	
Bedford	Drinkard	Hilliard	Mitchem	
Bishop	Ellis	Holmes	Sanders	
Cabaniss	Figures			—25

*Nays:*

—0

REGULAR SESSION  
28th Day

1941

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1085. Relating to Sumter County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Langford
Barron	Corbett	Hale	Manley
Bedford	Denton	Hand	Menton
Bedsole	Dial	Hilliard	Mitchem
Bennett	Dixon	Holmes	Parsons
Bishop	Drinkard	Horn	Sanders
Cabaniss	Ellis		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1087, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	deGraffenried	Goodwin	Langford
Bailey	Denton	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Sanders
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1087. Relating to Sumter County; authorizing the Sumter County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Langford
Bedford	Dial	Hale	Manley
Bedsole	Dixon	Hand	Menton
Bennett	Drinkard	Hilliard	Mitchem
Bishop	Ellis	Holmes	Parsons
Cabaniss	Figures	Horn	Sanders
Campbell	Foshee		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1083, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Parsons	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon			—25

*Nays:* —0**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1083. Relating to Greene County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Denton	Goodwin	Langford	
Bailey	Dial	Hale	Manley	
Barron	Dixon	Hand	Menton	
Bedford	Drinkard	Hilliard	Mitchem	
Bedsole	Ellis	Holmes	Sanders	
Bennett	Figures			—25

*Nays:* —0**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1080, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Manley	
Barron	Corbett	Hand	Menton	
Bedford	Covington	Hilliard	Mitchem	
Bedsole	Ellis	Holmes	Sanders	
Bennett	Figures			—25

*Nays:* —0

REGULAR SESSION  
28th Day

1943

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1080. Relating to Sumter County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Holmes
Amari	Cabaniss	Foshee	Horn
Bailey	Denton	Goodwin	Langford
Barron	Dial	Hale	Manley
Bedford	Dixon	Hand	Menton
Bedsole	Drinkard	Hilliard	Sanders
Bennett	Ellis		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1079, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Manley
Amari	Dixon	Hand	Menton
Bailey	Drinkard	Hilliard	Mitchem
Barron	Ellis	Holmes	Parsons
Bedford	Figures	Horn	Preuitt
Cabaniss	Foshee	Langford	Sanders
Denton	Goodwin		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1079. Relating to Sumter County; levying a lodging tax, providing for the collection and distribution of said tax.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn
Bennett	Denton	Goodwin	Langford
Bishop	Dial	Hale	Manley
Cabaniss	Dixon	Hand	Menton
Campbell	Drinkard	Hilliard	Mitchem
Corbett	Ellis	Holmes	Sanders
Covington	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., H. B. 1082, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Menton	
Amari	Denton	Goodwin	Mitchem	
Bailey	Dial	Hilliard	Parsons	
Barron	Dixon	Holmes	Preuitt	
Bedford	Drinkard	Horn	Sanders	
Bishop	Ellis	Manley	Smith (J)	
Cabaniss	Figures			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1082. Relating to Sumter County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Sumter County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Sumter County Commission for the collection of said taxes.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Figures	Holmes	
Amari	Cabaniss	Foshee	Horn	
Bailey	Denton	Goodwin	Langford	
Barron	Dial	Hale	Manley	
Bedford	Dixon	Hand	Menton	
Bedsole	Drinkard	Hilliard	Sanders	
Bennett	Ellis			—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., H. B. 926, adopted.

**REGULAR SESSION  
28th Day**

1945

Yeas 25; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Horn
Amari	Covington	Goodwin	Langford
Bailey	deGraffenried	Hale	Rice
Barron	Denton	Hand	Sanders
Bedsole	Drinkard	Hilliard	Smith (B)
Bishop	Ellis	Holmes	Smith (J)
Cabaniss	Figures		

—25

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 926. Providing for a medical examiner system for the investigation of certain types of deaths in Mobile County, Alabama; abolishing the office of county coroner; prescribing the manner of appointment, qualifications, powers and duties of the county medical examiner; prescribing procedures and requirements relating to postmortem examinations and autopsies of deaths occurring under certain circumstances in the county; requiring that certain deaths shall be reported to either the county medical examiner or a law enforcement agency in said county; providing protection from civil and criminal liability for such medical examiners properly performing their duties; transferring funds and equipment to the medical examiner system; requiring annual reports on such system to be submitted to the county governing body; imposing criminal penalties for certain violations of this act; and specifically repealing: Act No. 871, H. 1115 Regular Session 1951; Act No. 462, H. 862 Regular Session 1951; Act No. 563, S. 427 Regular Session 1943; Act No. 35, H. 198 and Act No. 36, H. 199 Special Session 1933; and Act No. 153, Regular Session 1866, all relating to the coroner or the operation of the coroner's office in Mobile County.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Manley
Bedsole	Dixon	Hand	Menton
Campbell	Drinkard	Hilliard	Mitchem
Corbett	Ellis	Holmes	Parsons
Covington	Figures	Horn	Preuitt
deGraffenried	Foshee	Langford	Rice
Denton	Goodwin		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., H. B. 1006, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Parsons
Amari	Covington	Hilliard	Preuitt
Bailey	deGraffenried	Holmes	Rice
Barron	Denton	Horn	Sanders
Bedsole	Dial	Langford	Smith (B)
Bishop	Dixon	Manley	Smith (J)
Cabaniss	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1006. Relating to Mobile County; directing and requiring the county governing body to provide for holding an advisory election relative to the question of alternative methods of levying additional county taxes to raise revenue for the Mobile County school board for purposes of public education. was taken up.

The Standing Committee on Local Legislation No. 3 reported the following amendment to the Bill, H. B. 1006, to-wit:

**AMENDMENT TO H. B. 1006**

Amend House Bill 1006, page 1, Section 1, line 36 by striking out line 36 in its entirety.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Langford
Amari	Covington	Hale	Manley
Bailey	Dixon	Hand	Menton
Bedsole	Drinkard	Hilliard	Mitchem
Bishop	Ellis	Holmes	Parsons
Cabaniss	Figures	Horn	Rice
Campbell	Foshee		

—25

Nays:

—0

And said Bill, H. B. 1006, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Horn
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedsole	Drinkard	Hilliard	Smith (B)
Corbett	Ellis	Holmes	Smith (J)
Covington	Figures		

—25

Nays:

—0



**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., H. B. 1066, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Corbett	Hale	Parsons
Bedford	Covington	Hand	Preuitt
Bedsole	Denton	Langford	Rice
Bennett	Dial	Manley	Sanders
Bishop	Figures	Menton	Smith (B)
Cabaniss	Foshee	Mitchem	Smith (J)
Campbell	Goodwin		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 1066. Relating to Mobile County; levying an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection, and distribution of the proceeds of the tax, and of the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

was taken up.

Senator Bedsole offered the following amendment to the Bill, H. B. 1066, to-wit:

**AMENDMENT TO H. B. 1066**

Amend H. B. 1066, by striking the wording after the word "fit." beginning with the word "paid" through and including the word "only", and inserting the following new language: "paid out to Greater Mobile-Washington County Mental Health-Mental Retardation Board, Inc. The fund shall be expended by said board in Mobile County only, for mental health purposes and all other purposes specified and allowed in Act 310 of the 1967 Regular Session of the Alabama Legislature."

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Parsons
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedsole	Drinkard	Hilliard	Smith (B)
Bishop	Ellis	Holmes	Smith (J)
Cabaniss	Figures		

—25

*Nays:*

—0

And said Bill, H. B. 1066, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Hand	Menton
Bedsole	Drinkard	Hilliard	Mitchem
Bennett	Ellis	Holmes	Parsons
Bishop	Figures	Horn	Preuitt
Cabaniss	Foshee	Langford	Rice
Campbell	Goodwin	Manley	Sanders
Corbett	Hale		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 1044, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Menton
Amari	Denton	Hilliard	Mitchem
Bailey	Dial	Holmes	Preuitt
Barron	Dixon	Horn	Sanders
Bedford	Drinkard	Langford	Smith (B)
Cabaniss	Ellis	Manley	Smith (J)
Covington	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 1044. Amending Section 1 of Act No. 23, H. 140, Local Acts 1943 (Local Acts 1943, p. 14), as amended, which provides for the election of the Coosa County Superintendent of Education, so as to fill such office by appointment of the county board of education; providing for referendum; and repealing Section 2 of said act relating to the election of such office.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Preuitt
Bennett	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 637, adopted.

REGULAR SESSION  
28th Day

1949

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Manley
Amari	Denton	Goodwin	Menton
Bailey	Dial	Hilliard	Mitchem
Barron	Dixon	Holmes	Parsons
Bedford	Drinkard	Horn	Preuitt
Bedsole	Ellis	Langford	Sanders
Bennett	Figures		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 637. Relating to Greene County; providing revenue by imposing an excise tax, payable by manufacturers, bottlers, distributors or importers of bottled carbonated soft drinks, used, sold, transported or delivered within said county; prescribing the method and manner of the payment and collection of such tax or assessing the tax; providing for distribution of the tax; conferring powers and imposing duties on the department of revenue and those manufacturing, bottling, distributing, selling and transporting bottled carbonated soft drinks; and providing for penalties.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Sanders
Bennett	Figures		

—25

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 633, adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Parsons
Amari	Dial	Hale	Preuitt
Bailey	Dixon	Hand	Rice
Campbell	Drinkard	Manley	Sanders
Corbett	Ellis	Menton	Smith (B)
Covington	Figures	Mitchem	Smith (J)
deGraffenried	Foshee		

—25

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 633. Relating to Greene County; authorizing the Greene County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Senators:	Bishop	Foshee	Horn	
Amari	Denton	Goodwin	Langford	
Bailey	Dial	Hale	Manley	
Barron	Dixon	Hand	Menton	
Bedford	Drinkard	Hilliard	Mitchem	
Bedsole	Ellis	Holmes	Sanders	
Bennett	Figures			—25

**Nays:**

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 638, adopted.

Yeas 25; Nays 0.

**Yeas:**

Senators:	deGraffenried	Foshee	Parsons	
Amari	Denton	Goodwin	Preuitt	
Bailey	Dial	Hale	Rice	
Barron	Dixon	Hand	Sanders	
Bedford	Drinkard	Hilliard	Smith (B)	
Corbett	Ellis	Holmes	Smith (J)	
Covington	Figures			—25

**Nays:**

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 638. Relating to Greene County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Greene County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Greene County Commission for the collection of said taxes.

**REGULAR SESSION  
28th Day**

1951

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Bedsole	Ellis	Holmes	Sanders
Bennett	Figures		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 634, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Denton	Goodwin	Preuitt
Bailey	Dial	Hale	Rice
Barron	Dixon	Hand	Sanders
Bedford	Drinkard	Hilliard	Smith (B)
Bedsole	Ellis	Holmes	Smith (J)
Bennett	Figures		

—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 634. Relating to Greene County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn
Amari	Cabaniss	Goodwin	Langford
Bailey	Campbell	Hale	Manley
Barron	Corbett	Hand	Menton
Bedford	Denton	Hilliard	Mitchem
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B. I. R., S. B. 635, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Menton	
Amari	Denton	Hilliard	Mitchem	
Bailey	Ellis	Holmes	Parsons	
Barron	Figures	Horn	Preuitt	
Bedford	Foshee	Langford	Sanders	
Bedsole	Goodwin	Manley	Smith (J)	
Covington	Hale			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 635. Relating to Greene County; to provide for the levying of excise and privilege taxes in Greene County on the severing of timber and the processing or manufacturing of forest products, upon every person engaged in any such business; to provide that such taxes paralleling the state forest products privilege and severance taxes shall be collected by the Alabama department of revenue; to provide for the collection, payment, enforcement and administration of such taxes; to provide for the use of the proceeds of such taxes; to provide for the imposition of interest and civil penalties; and to provide for exemptions.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Ellis	Langford	
Amari	Cabaniss	Figures	Manley	
Bailey	Campbell	Hand	Menton	
Barron	Denton	Hilliard	Mitchem	
Bedford	Dial	Holmes	Parsons	
Bedsole	Dixon	Horn	Sanders	
Bennett	Drinkard			—25

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 319. To amend Code of Alabama 1975, Section 12-17-224(a)(2) e.1.(ii) by redefining RESTITUTION to allow Worthless Check Units to collect the service charge of not more than \$10.00 authorized by Alabama Code Sections 13A-9-13.1 through 13A-9-13.3 for the holder of a worthless check.

Also:

S. 296. To provide that persons now employed by state junior colleges and Athens State College who were employed by said institutions prior to such time as said institutions became state supported, may purchase credit for up to five years for such service under the Teachers' Retirement System of Alabama.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 417. To amend Section 40-18-14, Code of Alabama 1975, which defines the term "gross income" for state income tax purposes, so as to provide further for said definition.

JOHN W. PEMBERTON,  
Clerk.

### BILLS ON THIRD READING RESUMED

Senator Corbett requested and received unanimous consent to bring up the Bill:

H. 987. Relating to Macon County; providing for an elected chairman for the Macon County Commission; prescribing procedures for the election of such chairman; prescribing procedure whereby the county commission shall decide whether such elected chairman shall be a part-time chairman or a full-time chairman; prescribing the salary and term of office of such county commission chairman; providing a certain expense allowance for such county commission chairman; providing for an interim chairman of the county commission if one becomes necessary and providing that this act shall have certain supplemental effect.

And said Bill, H. B. 987, was again read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hand	Parsons
Amari	Cabaniss	Hilliard	Preuitt
Bailey	Corbett	Holmes	Rice
Barron	deGraffenried	Horn	Sanders
Bedford	Foshee	Menton	Smith (B)
Bedsole	Goodwin	Mitchem	Smith (J)
Bennett	Hale		

—25

Nays:

—0

Senator Corbett then requested and received unanimous consent to bring up the Bill:

H. 983. Relating to Barbour County, to authorize the county commission to levy and collect certain taxes and fees, and to provide for the disposition of any proceeds from such taxes and fees.

And said Bill, H. B. 983, was again read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Holmes	Parsons	
Amari	Cabaniss	Horn	Preuitt	
Bailey	Campbell	Langford	Rice	
Barron	Corbett	Manley	Sanders	
Bedford	Drinkard	Menton	Smith (B)	
Bedsole	Ellis	Mitchem	Smith (J)	
Bennett	Figures			—25

*Nays:*

—0

Senator Corbett then requested and received unanimous consent to bring up the Bill:

H. 938. Relating to Bullock County; providing further for the expense allowances for certain county officials to be paid at the discretion of the county commission.

And said Bill, H. B. 938, was again read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Holmes	Parsons	
Amari	Cabaniss	Horn	Preuitt	
Bailey	Corbett	Langford	Rice	
Barron	Goodwin	Manley	Sanders	
Bedford	Hale	Menton	Smith (B)	
Bedsole	Hand	Mitchem	Smith (J)	
Bennett	Hilliard			—25

*Nays:*

—0

Senator Corbett then requested and received unanimous consent to bring up the Bill:

H. 995. Relating to selling and redeeming lands for taxes in Russell County, Alabama.

And said Bill, H. B. 995, was again read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Horn	
Amari	Cabaniss	Goodwin	Langford	
Bailey	Campbell	Hale	Manley	
Barron	Corbett	Hand	Menton	
Bedford	Drinkard	Hilliard	Mitchem	
Bedsole	Ellis	Holmes	Parsons	
Bennett	Figures			—25

*Nays:*

—0



**REGULAR SESSION  
28th Day**

1955

Senator Corbett then requested and received unanimous consent to bring up the Bill:

H. 994. Relating to Russell County; to provide that the county commission may authorize two additional deputies to be employed by the sheriff.

And said Bill, H. B. 994, was again read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Ellis	Holmes	Parsons
Cabaniss	Figures	Horn	Preuitt
Corbett	Foshee	Langford	Rice
Denton	Goodwin	Manley	Sanders
Dial	Hale	Menton	Smith (B)
Dixon	Hand	Mitchem	Smith (J)
Drinkard	Hilliard		

—25

*Nays:* —0

Senator Corbett then requested and received unanimous consent to bring up the Bill:

H. 993. Relating to Russell County; to amend Section 8 of Act No. 85-386, H. 540 of the 1985 Regular Session (Acts 1985, p. 332), relating to levying an additional sales tax, so as to provide further for the termination of any tax levied under the authority of this act.

And said Bill, H. B. 993, was again read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Horn
Amari	Denton	Goodwin	Langford
Bailey	Dial	Hale	Manley
Barron	Dixon	Hand	Menton
Bedford	Drinkard	Hilliard	Mitchem
Corbett	Ellis	Holmes	Parsons
Covington	Figures		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Bailey, B. I. R., H. B. 840.

On motion of Senator Bailey, further consideration of the B. I. R. and Bill, H. B. 840, was postponed subject to the call of the Chair.

1956

JOURNAL OF THE SENATE, 1987  
28th Day

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Box:

H. 842. To amend Section 11-3-11(a)(15) of Code of Alabama 1975 in order to authorize and empower the County Commission of any County to require property owners to connect with a sanitary sewer system operated by said County any facilities for the collection or disposal of sewage; to charge the owners of affected property for the costs of such connection; and to create a lien against such affected property for the enforcement of the payment of such costs.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 842—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reprs. Slaughter, Harper, and Campbell:

H. 746. To make legislative findings and declarations respecting problems encountered in the issuance of refunding obligations by the State of Alabama, the counties and municipalities therein and agencies and instrumentalities of any of the aforesaid governmental units; to provide that any of the aforesaid entities may sell refunding obligations by public or private sale, with or without competitive bidding; to specify the conditions under which obligations of any of the aforesaid entities shall not be considered to be outstanding for purposes of constitutional and statutory debt limitations as a result of one or more escrow funds having been established to provide for the payment thereof; to provide that refunding obligations satisfying certain conditions may be issued without restrictions as to rate or rates of interest or as to principal amount and to provide further that such refunding obligations shall not constitute or create any debt in excess of the debt represented by the obligations refunded thereby within the meaning of certain constitutional and statutory provisions; to provide that warrants may be issued by any county or municipality to refund bonds issued by such county or municipality; to provide rules for the allocation of refunding obligations between obligations refunded thereby that are subject to any constitutional debt limitation and those that are not subject to such limitation; and to provide that the provisions of this act shall be severable.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 746—to the Committee on State Development and Tourism

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Slaughter, Harper, and Campbell:

H. 747. To propose a self-executing amendment to the Constitution of Alabama of 1901 which (i) will specify the conditions under which obligations of the State of Alabama, any municipality or county therein or any agency or instrumentality of the State of Alabama or any such municipality or county shall not be considered to be outstanding for purposes of constitutional and statutory debt limitations as a result of one or more escrow funds having been established to provide for the payment thereof, (ii) will provide that refunding obligations satisfying certain conditions may be issued without restriction as to rate or rates of interest or as to principal amount and will further provide that such refunding obligations shall not constitute or create any debt in excess of the debt represented by the obligations refunded thereby within the meaning of certain constitutional and statutory provisions, (iii) will provide that warrants may be issued by any county or municipality to refund bonds issued by such county or municipality, (iv) will confirm and validate the power previously exercised by any county or municipality to incur debt evidenced by warrants without an election of the voters of such county or municipality, and (v) will provide rules for the allocation of refunding obligations between obligations refunded thereby that are subject to any constitutional debt limitation and those that are not subject to such limitation.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 747—to the Committee on State Development and Tourism

The above Bill was read a first time at length as required by the Constitution.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Butler:

H. 809. To amend section 6-5-332.1, Code of Alabama 1975, relating to the granting of civil immunity to persons assisting or advising as to the

mitigation of the effects of hazardous materials, so as to grant civil immunity to hazardous material handling teams operated by the state or a county, municipality or other political subdivision.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 809—to the Committee on Finance and Taxation

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carothers, Beasley, and Mathis (With Notice and Proof):

H. 1112. Relating to Houston County; amending Act No. 84-578, H. 734, 1984 Regular Session, which established the civil service system for Houston County, so as to provide further for administration of the system.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1112, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1112—to the Committee on Local Legislation No. 1

### RECESS

At 7:40 P.M., on motion of Senator Rice, the Senate took a recess until 8:40 P.M.

The recess period having expired, the Senate was called to order by Acting President and Presiding Officer Hand. A quorum of the Senate was present.

### REPORTS OF COMMITTEES RESUMED

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable

REGULAR SESSION  
28th Day

1959

report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Parker (With Notice and Proof):

H. 791. Relating to Morgan County; further amending Section 2 of Act No. 80-167, S. 299, Regular Session 1980 (Acts 1980, p. 245), as amended, relating to the distribution of payments by Tennessee Valley Authority in lieu of ad valorem taxes, so as to provide that the period for the present distribution formula shall remain in effect henceforth.

By Rep. White (L) (With Notice and Proof):

H. 989. Relating to Tallapoosa County; to authorize the Tallapoosa County Commission to impose excise taxes on persons, corporations, partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Tallapoosa County Commission to make reasonable rules and regulations for the collection of such taxes; to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Tallapoosa County Commission for the collection of said taxes; and to provide that the tax shall expire on December 31, 1988.

By Rep. Drake (With Notice and Proof):

H. 167. Relating to Cullman County; authorizing branch banking.

By Rep. White (L) (With Notice and Proof):

H. 988. Relating to Tallapoosa County, providing for the election of the County Board of Education and County Superintendent of Education; adopting single-member districts and repealing all conflicting laws.

By Rep. White (L) (With Notice and Proof):

H. 990. Relating to Tallapoosa County; to alter, rearrange and extend the boundary lines and corporate limits of the City of New Site in said county.

By Rep. McKee (With Notice and Proof):

H. 1042. To amend Section 6 of Act No. 350, S. 434, 1971 Regular Session of the Legislature (Acts 1971, p. 642), relating to planning commissions in certain cities classified on a population basis (the City of Montgomery in Montgomery County), so as to provide further for certain procedures relating to the meetings of such commissions.

By Rep. Richardson (With Notice and Proof):

H. 992. Relating to Jackson County; authorizing the county commission to levy a lodging tax; providing for the collection and distribution of said tax; and particularly authorizing the county commission to give up to one (1) cent of the net proceeds of such tax to the Scottsboro-Jackson County Heritage Center.

By Rep. Laird (With Notice and Proof):

H. 1046. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Roanoke, in Randolph County.

By Rep. Holmes (With Notice and Proof):

H. 1051. Relating to Montgomery County; to allow persons with certain equitable interest in real estate located in the county to be released from legal custody following arrest and to sign his own recognizance bond for court appearance.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Campbell:

H. 114. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1985 Second Special Session and the 1986 Regular Session of the Legislature, as contained in the 1986 Cumulative Supplement to certain volumes of the Code and in the 1986 replacement volumes 11, 15 and 16 of the Code, and to make certain corrections in Volume 21 of such cumulative supplement; and to adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1986 First Special Session of the Legislature, as contained in the 1987 Interim Supplement to the Code of Alabama 1975, and to make a certain correction in such interim supplement.

By Rep. Higginbotham:

H. 170. To provide for the confidentiality of records, information or writings obtained or kept by the board in connection with the Board of Public Accountancy's Practice Review Program, or obtained or kept by the board of public accountancy pursuant to a disciplinary investigation.

By Rep. White (F):

H. 484. To amend Sections 36-21-68, 36-21-71, 36-21-74, and 36-21-76, Code of Alabama 1975, relating to the Alabama Peace Officers' Annuity and Benefit Fund, so as to eliminate purchasing of past service by new members of the fund; and to provide further for disability benefits and continued membership.

By Reps. Penry, McMillan, and Zoghby:

H. 492. To amend Section 34-27-7 Code of Alabama 1975, so as to provide for the appointment of members of the Alabama Real Estate Commission by the Governor of Alabama by providing that the said appointments be made from a list of nominations submitted by a prescribed method; and further to provide that the executive director and assistant executive director possess certain administrative and management qualifications; and to provide an effective date.

By Reps. Carothers, Johnson (RG), Beasley, Mikell, Faulk, Haynes, and White (L):

H. 506. Relating to the practice of veterinary medicine and surgery in Alabama; amending the title and Sections 2, 4, 5, 6, 12, 14, 16 and 29 of the Alabama Veterinary Practice Act, Act No. 86-500, S. 121, Regular Session 1986, approved April 30, 1986 (such sections now appearing in the 1986 Cumulative Supplement to the Code of Alabama 1975 as Sections 34-29-61,

REGULAR SESSION  
28th Day

1961

34-29-63, 34-29-64, 34-29-65, 34-29-71, 34-29-73, 34-29-75 and 34-29-88, respectively), so as to change the name of the board; and to provide further for the practice and licensure of such veterinary medicine and surgery.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Reps. Gaston, Zoghby, Kvalheim, Box, Marietta, Adams, Flowers, Hettinger, Junkins, and Harper (With Substitute):

H. 796. To amend Section 24-1A-9 Code of Alabama 1975, relating to the limitation on issuance of bonds by the Alabama Housing Finance Authority.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Breedlove:

H. 803. To provide for the creation, appointment, organization, operation, meetings and continuance of the St. Stephens Historical Commission; to provide for acquiring, constructing, establishing, maintaining and promoting certain properties and structures of historical interest and functional utility at St. Stephens, in the vicinity of the site of the first territorial capital of Alabama; to provide for financial cooperation with other public or private agencies and historical organizations; and to provide for the employment of personnel.

By Reps. Gaston, Zoghby, Kvalheim, and Adams:

H. 795. To provide for the method of filing applications for allocations of a portion of the "State ceiling" applicable to tax-exempt bonds; to establish expiration and reversion dates for allocations of "State ceiling" and conditions subsequent to such allocations; to allocate the entire "State ceiling" to the State, subject to redistribution by the State Industrial Development Authority; to reserve certain portions of the "State ceiling" for the use and benefit of Alabama Housing Finance Authority and Alabama Higher Education Loan Corporation; to provide for the allocation of portions of the "State ceiling" to issuers of small issue bonds for manufacturing facilities and for exempt facility bonds and for the allocation of a portion of the "State ceiling" at the discretion of the State Industrial Development Authority; to impose certain limitations upon allocations made to local issuers of affected bonds; to provide a procedure for carryforward allocations; to establish an effective date; and to designate the President of the State Industrial Development Authority as the State official authorized to make certain certifications required under the Internal Revenue Code of 1986, as amended.

By Reps. Turnham and Slaughter:

H. 735. To amend section 11-81-11 of the Code of Alabama 1975, as heretofore amended, to permit the sale of bonds issued under the authority of Chapter 81 of Title 11 of the Code of Alabama 1975, as amended, to be sold at public or private sale as the governing body of the municipality or county may determine.

By Senator Bedford:

S. 540. To amend Section 11-85-73, Code of Alabama 1975, relating to regional planning commissions and other entities and their authority to enter into contracts with other agencies, so as to designate further additional corporations which are within the purview of this statute; and to provide an effective date for this act.

By Senators Bedford and Barron:

S. 541. To amend Section 12-18-87, Code of Alabama 1975, which provides for the benefits for probate judges so as to provide, in addition to benefits now received, a graduated percentage cost-of-living increase to all spouses of probate judges retired under the Judicial Retirement Fund of Alabama.

By Senators Bedford and Barron:

S. 542. To amend §12-18-87, Code of Alabama 1975, to provide for an increase in service retirement and survivor benefits under the judicial retirement fund as it relates to probate judges.

Senator Bailey, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. McMillan, Clark (J), Johnson (RW), and Kvalheim:

H. 697. To amend Section 16-13-184, Code of Alabama 1975, which relates to the conduct of elections, so as to provide further for the voting hours for county elections regarding school taxes.

Senator Dial, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Turner:

H. 1. To provide for a limitation on the total cost of license plates, taxes and license fees for motorized recreational vehicles; to return the taxation of such vehicles to the rates, weights and amounts that existed prior to 1984; and to exempt motorized recreational vehicles from the provisions of section 40-12-248 of the Code of Alabama 1975.

By Rep. Harper:

H. 215. An act requiring pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following



REGULAR SESSION  
28th Day

1963

bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Hilliard, Corbett, and Bennett:

S. 577. To provide that any adult may, without payment of tax, produce limited amounts of beer and wine for personal or family use and not for sale.

By Reps. Slaughter and White (G):

H. 600. Proposing an amendment to the Constitution of Alabama authorizing the investment of Alabama's Heritage Trust Fund's capital and income as authorized for the investment of funds of the Alabama trust fund, and providing that any capital gains taken on the sale of any securities shall become a part of the trust capital of the Alabama Heritage Trust Fund.

The above Bill was read a second time at length as required by the Constitution.

By Reps. White (G) and Fuller:

H. 308. To amend §§40-23-2 and 40-23-35, Code of Alabama 1975, to impose an excise tax on unlawful sales, use and other transactions involving certain drugs or controlled substances, and provide for the disposition of the proceeds of the tax.

By Senators Rice, Smith (J), and Dial:

S. 403. To provide for the incorporation of the Alabama Veterans' Affairs Finance Authority; to provide for the Authority's members, officers and directors; to empower the Authority to acquire and hold title to real and personal property for use as or in conjunction with nursing home and related facilities for veterans and to sell, convey or lease that property; to provide for the leasing of facilities owned by the Authority to certain entities; to empower the Authority to sell and issue its notes and bonds in an aggregate principal amount not exceeding \$5,000,000; to empower the Authority to sell and issue refunding bonds, to grant mortgages upon, and security interests in its facilities and to pledge for payment of its notes, bonds and refunding bonds the rents and revenues from such facilities, the proceeds from the sale of such facilities, unexpended note or bond proceeds, insurance proceeds and/or mortgage or security interests in the Authority's facilities; to confer on the Authority the same power of eminent domain as that possessed by the State; to provide for temporary loans in anticipation of the issuance of bonds; to provide for the disposition of proceeds from the sale of bonds or refunding bonds issued by the Authority; to exempt from taxation the income and property of the Authority, all lien notices with respect thereto, the interest on the notes and bonds of the Authority and all purchases and uses of property by the Authority; to provide that venue for any action arising out of this Act shall be in the circuit court of Montgomery County, Alabama; to provide for dissolution of the Authority; to exempt leases of the Authority from the competitive bid law; to exempt the Authority from the Sunset Law; to exempt the Authority from laws respecting usury; to provide that the provisions of this Act are severable; and to provide an effective date.

By Senators Rice, Smith (J), and Dial:

S. 402. To authorize the State Department of Veterans' Affairs to operate a state veterans' home or homes, to authorize the receipt and use

of federal and other funds for such purpose, to provide for the powers and duties of the State Board of Veterans' Affairs regarding said veterans' home and to create a veterans' home trust fund.

By Senators Rice, Smith (J), and Dial:

S. 404. To provide for a voluntary check-off designation on state income tax returns for the 1987 tax year and each year thereafter for the Alabama Veterans' Nursing Home Program; to provide the form for such designation; to provide for the crediting to the Department of Veterans' Affairs of the total amount designated for nursing home and health care services for aged and disabled veterans in Alabama; and to provide for an effective date.

By Rep. Turnham:

H. 558. To provide that full-time employees and executive officers of the Alabama Retired Teachers Association may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Association and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

By Rep. Starkey:

H. 650. To amend Sections 41-9-782 and 41-9-783 of the Code of Alabama 1975 relating to the Tennessee Valley Exhibit Commission in order to clarify the authority of said commission with respect to the issuance of revenue obligations and to make a limited appropriation and pledge for the benefit of certain of such revenue obligations of certain moneys retained by the State of Alabama from in-lieu-of-taxes payments made by the Tennessee Valley Authority.

By Senators Campbell and Hale (With Notice and Proof):

S. 657. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

By Rep. Harper:

H. 837. To provide that the first \$9,500,000 of the net amount of all taxes required to be deposited to or certified in the state treasury to the credit of the state general fund pursuant to Section 40-20-8, Code of Alabama 1975, as amended, in each fiscal year beginning with the fiscal year commencing on October 1, 1987, shall be credited to an account to be known as the Alabama State Docks Facilities Contingency Trust Fund and created hereby; to provide that there shall be appropriated and paid to the Alabama State Docks Department, under certain circumstances, all or a portion of all funds deposited to that account based on the expected deficiency anticipated to be incurred by the Department in payment of (1) expenses anticipated to be incurred in operating and maintaining the Department's coal handling and other facilities and (2) principal and interest coming due during the then current fiscal year on certain bonds of the state and of the Department; to provide that within forty-five days after the close of the third quarter of a fiscal year any moneys then contained in and as shall during the remainder of the fourth quarter of the fiscal year be deposited to the credit of the account established hereby in excess of the amount

anticipated to be needed during the fourth quarter to satisfy any expected deficiency in the Department's operations as defined herein shall be transferred out of Alabama State Docks Facility Contingency Trust Fund and deposited to the general fund; to provide that amounts transferred pursuant to this Act may be used for any lawful purpose except to pay principal of or interest on any obligations issued by the Alabama State Docks Department; to provide that this Act shall not constitute a contract between the State or the Alabama State Docks Department and the holders of any obligations issued by the Alabama State Docks Department; to provide that amounts transferred pursuant to this Act constitute mere voluntary payments by the State to or in aid of the Alabama State Docks Department; to repeal all laws or parts of laws in conflict with the provisions of this Act; to provide that the provisions of this Act are severable; and to provide for an effective date.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Langford (With Substitute):

S. 736. To propose and provide for the submission of an amendment to Section 71 of the Constitution of 1901, so as to provide further for certain appropriations in the general appropriations bill.

The above Bill was read a second time at length as required by the Constitution.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Mikell:

H. 717. To amend Section 44-1-29, Code of Alabama 1975, to require the Department of Youth Services to use the facilities of the state purchasing agent.

By Rep. Harper:

H. 836. To amend Section 40-13-8, Code of Alabama 1975, as amended, so as to provide that the excise and privilege tax on coal shall terminate at the latest of the final maturity, redemption of and payment of all accrued interest on (i) bonds issued by the Alabama State Docks Department pursuant to Act No. 64 enacted at the 1971 First Special Session of the Legislature of Alabama, (ii) any obligations issued to refund any of the bonds issued pursuant to that Act or (iii) any obligations issued to refund any obligations described in clause (ii).

By Rep. Campbell:

H. 782. To specifically exempt all purchases made with food stamps from all state, county and municipal sales and use taxes; to make such exemption contingent upon the continued requirement of federal law that conditions the states' participation in the food stamp program upon exempting purchases made with food stamps; to provide that the provisions of this act shall become inoperative, null and void if the food stamp sales tax amendment

is either ruled unconstitutional or unenforceable by a federal court or is repealed by Congress; and to provide that provisions of act shall become operative on October 1, 1987.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Zoghby, Marietta, Davis, Escott, Rogers, McDowell, Bugg, and Clark (J) (With Amendment):

H. 821. To provide additional funding for domestic violence shelters by amending Sections 30-6-6 and 30-6-11 Code of Alabama 1975, as last amended, to delete the limitation on the maximum available to each domestic violence facility, and re-designate the following subsection as subsection (e); to increase the additional fee for marriage licenses provided for therein by \$10.00, from \$5.00 to \$15.00; and to remove language in Section 30-6-11 in which refers to a time period which has already passed.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Kennedy and Zoghby:

H. 599. To create the Police Officer's and Firefighter's Survivor Educational Act; to provide for tuition assistance and other costs for an undergraduate student in a state college, community college, junior college, technical college or state university who is the dependent child, or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to provide that the Alabama Commission on Higher Education shall administer the provisions of the act; to create the Tuition Eligibility Board and provides for membership; to make an appropriation; and to repeal Sections 36-21-95 through 36-21-99, Code of Alabama 1975, the Policeman's Survivor Tuition Act.

By Reps. Payne, Faulk, Venable, Johnson (RG), Mikell, Laird, Fuller, Blake, Carter, Biddle, and Hall:

H. 297. To amend Section 40-18-19, Code of Alabama 1975, to provide for the exemption of retirement pay for firemen from state and local income taxes the same as retirement pay of school teachers, state employees, civil service retirees and peace officers.

By Reps. Hill, Logan, Headley, and Knight:

H. 288. To exempt the King's Ranch, Inc., from the payment of all state, county and municipal sales and use taxes.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. McMillan (With Notice and Proof):

H. 1053. Relating to Baldwin County; to authorize the Baldwin County Commission to impose excise taxes on persons, corporations, copartnerships,

companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Baldwin County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Baldwin County Commission for the collection of said taxes.

By Reps. Penry and McMillan (With Notice and Proof):

H. 1073. Relating to Baldwin County; regulating construction setback from the rights-of-way of any public highways, state or county, located outside the corporate limits of any municipality in Baldwin County, and the construction or erection of any outdoor signs, advertising or permanent improvements thereon; providing for an appeal process and certain exceptions; authorizing the county planning and zoning commission to issue certain rules and regulations necessary for the implementation of this act; and prescribing that the provisions of this act shall be cumulative to any and all other provisions of law relating to public roads and bridges in Baldwin County, except to the extent there is a direct conflict herewith.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Escott (With Notice and Proof) (With Substitute) (With Amendment):

H. 457. To amend Article III, Section 9 of Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, as amended by Act No. 791 of the Regular Session of the Legislature of Alabama of 1975, said section relating to investment of the fund established for a retirement and relief system for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed sixty-five percent of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed forty percent of the funds available for investment.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Payne, Biddle, Wright, Gray, Petelos, Escott, Curry, Seibels, Rogers, McClain, Slaughter, Davis, White (G), and Beers (With Notice and Proof):

H. 631. To further amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which said Act, as heretofore amended, established a pension system for officers and employees of Jefferson County, Alabama.

By Reps. Rogers, Spratt, and Perdue (With Notice and Proof):

H. 345. Relating to Jefferson County; to amend further Section 3 of Act No. 248, H. 580, 1945 Regular Session (Acts 1945, p. 376), pertaining to Personnel Boards of certain counties classified on a population basis, so as to provide further for the compensation of board members and the chairman for attendance of meetings of the board and for attendance upon trials or hearings.

By Rep. Slaughter (With Notice and Proof):

H. 1038. Relating to the Tenth Judicial Circuit in Jefferson County; to amend Section 6 of Act No. 75-523, H. 121, Regular Session 1975 (Acts 1975, p. 1174), relating to the appointment, duties and compensation of deputy district attorneys, so as to provide further that the chief deputy district attorney and each of the five deputy district attorneys at Levels #1, #2 and #3 shall be paid according to the amended schedule of salaries.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Slaughter, White (G), Seibels, and McClain (With Notice and Proof) (With Substitute) (With Amendment):

H. 941. Relating to Jefferson County; providing that the county commission or other like governing body of such county shall have the power to levy and collect additional excise taxes, alcoholic beverage taxes, use taxes and privilege license taxes on any business, calling or profession; providing that any such tax levied by said governing body shall become law either with or without a referendum in the sole discretion of said governing body; providing for the disposition of the proceeds of such taxes; and repealing conflicting laws.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. McDowell, White (G), McClain, Newton, Escott, and Rogers (With Notice and Proof) (With Amendment):

H. 1065. To alter, rearrange and extend the boundaries and corporate limits of the city of Bessemer, Alabama, so as to incorporate certain territory as described herein.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Spratt (With Notice and Proof):

H. 382. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred

REGULAR SESSION  
28th Day

1969

thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Senator Bailey, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Burke, Drake, Laird, Clark (J), Layson, Butler, Lindsey, Mathis, Campbell, Beasley, Blake, Carter, Cosby, Reed, White (L), Warren, Fuller, Hammett, Adams, Clark (W), Gaston, Zoghby, Box, Grouby, Crow, Johnson (RW), Willis, Hogan, Walker, Mikell, Bowling, Melton, Moon, Knight, Curry, McKee, Logan, Payne, Beers, White (G), Gray, McClain, Holley, Higginbotham, Harper, Faulk, Penry, Johnson (RG), Carothers, Holmes, Frazier, Kvalheim, Thomas, Buskey (JE), Richardson, Brooks, Perdue, Turner, McMillan, Venable, Britnell, Newman, Blakeney, Breedlove, Bryant, Hettinger, Bugg, Rains, Freeman, Marks, Dillard, Headley, Spratt, Junkins, Hamilton, Wright, Williams, Harvey, Haynes, and Hooper:

H. 667. To establish the Alabama Athlete Agents Regulatory Commission; to provide for membership, terms, and duties to require agents for athletes to register and be licensed in this state; to provide for revocation of registration; to provide for filing and registration fees; to require agents to post surety bonds; to provide for disposition of the proceeds from registrations and fines; to provide for the contents and approval of contracts; to prohibit certain activities; to provide further for actions against agents; to provide for an appellate procedure from decisions of the commission; to provide for a procedure for arbitration; and to provide for penalties for violations.

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Zoghby:

H. 691. To amend Section 6-9-40, Code of Alabama 1975, relating to property subject to execution, so as to allow for the execution on personal property of a defendant, including things in acton.

By Rep. Biddle:

H. 252. To make the illegal possession of food stamps a criminal offense, to define the degrees of such offense; to prescribe punishment; and to provide that any person convicted of such crime who is licensed under the Alcoholic Beverage Licensing Code shall have his license revoked in addition to criminal penalties.

By Reps. Freeman, Layson, Wright, Moon, Richardson, Dillard, Marks, Headley, Britnell, Hamilton, Petelos, Grayson, Hill, Brooks, Slaughter, Logan, Curry, Knight, Rogers, Drake, Hooper, White (L), Box, Flowers, Gray, McClain, Escott, Beers, Bowling, Melton, Burke, Carothers, Hall, Fuller, Poole, Cosby, and McKee:

H. 602. To provide for a Class A misdemeanor punishment for violation of the Alabama Department of Public Safety promulgated rules governing motor carrier safety regulations and hazardous material regulations.

By Reps. Johnson (RG), Carothers, and Haynes:

H. 173. To amend Section 14-3-9, Code of Alabama 1975, relating to the reporting of violations of law and arrest powers by and for Department of Corrections personnel, so as to provide certain specified employees of the Department of Corrections with full and unlimited police powers and jurisdiction as any other state police officer.

By Reps. Johnson (RG), Carothers, and Haynes:

H. 172. To propose a constitutional amendment to Amendment 81 of the Constitution of Alabama of 1901, relating to the holding of courts of record and the establishment and abolition of branch courthouses and divisions of circuit court, so as to provide that habeas corpus and coram nobis proceedings in circuit court may be held at any correctional institution operated under the direction and control of the State Department of Corrections wherein the person seeking the writ is confined; to provide for security during such proceedings; to delete those provisions of Amendment 81 that are in conflict with Amendment 328 to the Constitution of Alabama of 1901, as amended, and to provide for an election on the proposed amendment and notice thereof.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Breedlove:

H. 287. To amend § 13A-4-3, Code of Alabama 1975, to upgrade the penalty provisions for criminal conspiracy.

By Rep. Cosby:

H. 246. To amend Sections 13A-7-5 and 13A-7-6, Code of Alabama 1975, which provide for burglary in the first and second degree, so as to provide that home burglary is classified as burglary in the first degree.

By Rep. Hooper:

H. 230. To amend §20-2-80, Code of Alabama 1975, to provide an additional criminal penalty for possessing a firearm during the commission of any act proscribed by §20-2-80, Code of Alabama 1975.

By Reps. Willis and Crow:

H. 126. To provide for the procedure for verification of eligibility for homestead exemptions provided in the Code of Alabama, 1975, Sections 40-9-19 and 40-9-21.

Senator Preuit, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Davis (With Amendment):

H. 249. Relating to controlled substances; prescribing certain additional penalties for any person convicted of an unlawful sale of a controlled substance on the campus or within a certain radius of the campus boundaries of any private or public school, college, university or other educational institution in this state.



REGULAR SESSION  
28th Day

1971

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Venable:

H. 344. To amend the Constitution of 1901 by replacing the article on Suffrage and Elections, Article VIII.

The above Bill was read a second time at length as required by the Constitution.

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Gray, Goodwin, White (L), Higginbotham, Zoghby, Kvalheim, Hooper, Mikell, Blakeney, Wright, Hamilton, Petelos, Curry, Richardson, Slaughter, Logan, and Brooks (With Amendment):

H. 240. To amend §13A-6-3 of the Code of Alabama, 1975, to provide that manslaughter is a Class B felony.

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Hammett:

H. 44. To amend Section 9-11-257, Code of Alabama 1975, relating to hunting or discharging a firearm within a certain distance of public roads, highways, or railroads, so as to remove certain language regarding hunting and obtaining permission of adjacent landowners, to prohibit discharging a firearm in certain areas, to provide certain exceptions, and to alter criminal penalties.

By Reps. Blakeney, McMillan, Mikell, Hooper, Breedlove, Layson, Haynes, and Black:

H. 386. To provide that the punishment for second degree rape be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-62(b) accordingly; to provide that the punishment for second degree sodomy be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-64(b) accordingly; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

By Reps. Brooks and Hettinger:

H. 628. To provide for the creation of the offenses of theft of property by charitable fraud and charitable fraud; to provide for criminal penalties; and to provide civil remedies to stop or prevent theft of property by charitable fraud and charitable fraud.

By Senators Hale, Menton, Bailey, Bedsole, Preuitt, Holmes, Cabaniss, Hand, Dixon, Smith (J), and Barron:

S. 507. Relating to all civil actions in tort, contract or otherwise against real estate developers who construct or perform or manage construction of

an improvement on or to real property by employing or contracting with builders, architects, engineers or any combination thereof, arising out of any defect or deficiency in the design, planning, testing, supervision, administration or observation of construction of an improvement on or to real property, or arising out of any defect or deficiency in the construction of an improvement on or to real property; providing a definite statute of limitations of three years after a cause of action accrues or arises in all such actions; providing a bar to relief for all causes of action and to all rights of action which accrue more than seven years after the substantial completion of construction of an improvement on or to the real property; providing when a cause of action accrues or arises; providing that this act does not apply to causes of action which have accrued prior to its effective date; providing that this act does not create any cause of action against such real estate developers, or any other persons; excluding causes or rights of action against manufacturers of products; extending the bar of causes or rights of actions for breach of contract arising out of written express warranties to coincide with the period thereof; defining certain terms and repealing all conflicting laws.

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Grouby (With Amendment):

H. 46. To require a grand jury investigation of any hunting death involving a gun or bow and arrow when such accident results in death and when such death is caused by one person against another; and to require further that all such accidents be reported within 72 hours to the office of the Director of the Game and Fish Division of the Department of Conservation and Natural Resources, by the Coroner and the Sheriff's Department of the county in which the death occurred.

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Hamilton, Carter, Butler, Burke, Layson, Frazier, Logan, Petelos, Richardson, Mikell, Lindsey, Dillard, Marks, Warren, Gaston, Moon, Clark (J), Carothers, Beers, White (G), Knight, Hill, Slaughter, Seibels, Escott, McKee, Haynes, Penry, Williams, Blake, Crow, Adams, Hall, Hogan, Harvey, White (L), Ford, Coburn, Bowling, and Britnell:

H. 367. To amend Section 32-5-17, Code of Alabama 1975, relating to the certain casting of a light onto certain real property from or with the aid of a motor vehicle, so as to provide for the prohibition of such activity between sunset and sunrise on any real property, to further provide for exceptions, and to further provide for penalties for the violation thereof.

By Reps. Beers, McDowell, Escott, McClain, Payne, Wright, Petelos, Curry, Slaughter, Newton, Perdue, and Rogers:

H. 450. A bill to amend Section 4-3-45, Code of Alabama 1975, so as to provide for a Board of Directors for an Airport Authority of either three, five or seven members.

REGULAR SESSION  
28th Day

1973

By Senator Menton:

S. 446. To require hospitals to notify all pre-hospital agencies who assisted in delivering a person to a hospital, if the hospital learns said person has an infectious disease and to prescribe certain criminal penalties.

By Rep. Campbell:

H. 251. To define and set the punishment for the crimes of: unlawful distribution of controlled substances; unlawful possession or receipt of controlled substances; and unlawful possession of marihuana in the first and second degrees; to amend Code of Alabama 1975, 20-2-71, 20-2-72, 20-2-73; and 20-2-74; to provide for the incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal Code of Alabama 1975, §§20-2-70, 20-2-76, and 20-2-77, and any and all other laws or parts of laws that conflict with this act, insofar as conduct occurring after the effective date of this act is concerned; to provide that this act is supplemental to other laws not inconsistent with this act and shall not be deemed to repeal such laws; to specify the conduct to which this act applies; to provide for severability; and, to provide an effective date.

By Rep. Johnson (RG):

H. 762. To provide for an annual program of continuing education for municipal chiefs of police; to provide that chiefs who fail to comply with this act shall be subject to having his certification revoked by the Alabama Peace Officers Standards and Training Commission.

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Newman:

H. 510. To establish the "County Oil and Gas Severance Trust Fund" with revenue from certain local county severance tax revenues from oil and gas production, plus certain income or interest; to regulate and provide for the administration of the expenditures of such funds by the county; to specifically repeal Act No. 2120, H. 2450, Regular Session 1971 (Acts 1971, Vol. V, p. 3399), as amended, relating to Baldwin County privilege tax on persons engaged in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters; to specifically provide that this bill shall not be construed to repeal Section 40-20-2, Code of Alabama 1975, as amended, which levies certain taxes upon the production or severing oil or gas from the soil or waters; and to provide for non-severability construction.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 263. To amend Act No. 86-645, Acts of Alabama, First Extraordinary Session, 1986, by repealing Section 2 of said Act; and to provide for the transfer back of funds heretofore transferred from the state insurance fund pursuant to Act No. 86-645, by the State Finance Director with approval of the Governor.

By Rep. White (F):

H. 70. To amend Section 41-9-341, Code of Alabama 1975, which relates to reimbursement of expenses of members of the USS Alabama Battleship Commission, so as to allow members to be reimbursed for actual expenses incurred from funds of the commission.

By Rep. Turnham:

H. 190. To provide that any member of the teachers' or employees' retirement system of Alabama not presently covered by a provision to convert unused sick leave into membership service for purposes of service retirement may do so under the provisions of §36-26-36.1 provided that no employee of an employer participating pursuant to §36-27-6 of the Code of Alabama 1975 shall be entitled to the benefits provided in this act unless such employer elects to come under the provisions of said act.

By Reps. Harper and Fuller:

H. 708. To amend Section 4 of Act No. 86-645 1st Special Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Hogan:

H. 845. Relating to members of the board of registrars of this state; to amend Section 17-4-153, Code of Alabama 1975, relating to the salary of the boards of registrars, to provide that a certain salary shall be paid to each member of a board of registrars for each day's attendance upon business of the board; to provide that the said salary plus the employer share of the social security or Federal Insurance Corporation Act tax shall be paid to the county commissions and the salary shall be disbursed by the county commissions to each member of a board of registrars; to provide for the reimbursement of travel and other expenses to the county commissions based on a written request submitted to the state comptroller; to state the legislative intent of this act; to provide that such members of the boards of registrars of this state shall be treated as other state and county employees are treated for social security purposes; to direct that the state office for social security and the state comptroller and each county commission shall take all necessary action to insure that such board members are treated as other state and county employees in regard to social security protection and benefits as provided in Chapter 28 of Title 36 of the Code of Alabama, including, if necessary, amending the federal-state agreement referred to in said Chapter 28 of Title 36 of the Code of Alabama; to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this act; and to provide the manner in which this bill becomes law.

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Carter (With Amendment):

H. 876. To amend Code of Alabama 1975, §12-15-65 to provide that an out of court statement made by a child under the age of twelve describing

REGULAR SESSION  
28th Day

1975

acts of sexual conduct performed on or with the child by another shall be admissible in dependency hearings if the court finds that the statement is sufficiently reliable; to provide that such statement may not be admitted unless the proponent of the statement gives advance notice of the details of the statement and of his intention to offer the statement, so that the adverse party may have a fair opportunity to rebut the statement; to provide the conduct to which this act applies; to provide for severability; and to provide an effective date.

Senator Bedsole, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 469. To further provide for seafoods and marine resources licenses in this state; to amend Section 9-12-80, Code of Alabama 1975, relating to certain nonresident and boat license fees, so as to further provide for said fees; to amend Section 9-12-119, Code of Alabama 1975, relating to issuance of licenses, so as to further provide for the issuance thereof, to increase the issuance fees, to specify that said issuance fees shall be in addition to the cost of licenses, to specify that the license fees shall be credited to the marine resources fund, and to provide for the return to the department of conservation and natural resources of unused licenses and stubs of licenses issued; to amend Section 9-12-82, Code of Alabama 1975, relating to "oyster catcher" licenses, so as to provide that the cost thereof shall be \$50.00; to repeal Section 9-12-84, Code of Alabama 1975; to amend Section 9-12-93, Code of Alabama 1975, relating to certain "shrimp boat" licenses, so as to increase fees and establish categories of license fees for residents, to further provide for nonresident license fees, and to provide that license fees shall be deposited to the marine resources fund; to repeal Section 9-12-92, Code of Alabama 1975; to amend Section 9-12-113, Code of Alabama 1975, relating to certain commercial hook and line and net or seine licenses, so as to increase and further provide for resident license fees, to further provide for nonresident license fees, to provide certain exemptions for certain seines, to further provide for the possession of said licenses, to require certain nets and seines to bear a certain tag, to provide that certain nets and seines utilized in certain illegal manners shall be nuisances and subject to confiscation, to provide for the forfeit of certain nets and seines under certain circumstances, and to require the immediate return to waters of game fish taken by nets or seines pursuant to this code section; to provide for a certain recreational gill net license for a fee of \$50.00, and to prohibit the sale or barter or offer for sale or barter of fish taken pursuant to this license; to provide for and require a "seafood dealer's" license, to define "seafood dealer", to provide for a license fee of \$125.00, to provide for certain exemptions, to prohibit certain restaurants and grocers from certain purchases of certain seafoods without said license, to provide for and require additional said licenses under certain circumstances, to provide from whom "seafood dealers" may purchase seafoods, to prohibit the sale of seafoods as provided for in this section without said license, and to provide penalties for the violation of this section; and to repeal sections 9-12-86, 9-12-88, 9-12-89, 9-12-90, 9-12-91, 9-12-81 and 9-12-114, Code of Alabama 1975.

By Reps. Rains, Moon, Adams, Turnham, Harvey, Bugg, Flowers, Clark (J), Willis, Zoghby, Turner, White (F), Freeman, Carter, Seibels, Holley, Bowling, Starkey, Gray, Coburn, Cosby, Grouby, and Haynes:

H. 641. To prohibit the operation of vessels with children on board unless each child is wearing a United States Coast Guard approved life preserver, and to provide for penalties.

Senator Bedsole, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Richardson (With Substitute):

H. 769. To provide for the operation of "private commercial fish ponds" in private fresh waters; to provide for the exemption of persons taking fish therefrom or fishing therein from obtaining any state fishing license; to provide that the title to all fish in and of the private fresh waters of the state is vested in the private owner thereof and may be harvested without limitation at the discretion of the owner or operator thereof; and to provide for the repeal of conflicting laws.

Senator Bedsole, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harvey:

H. 814. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Harvey:

H. 815. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a nonprofit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of

catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

### BILLS ON THIRD READING RESUMED

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the following Bill:

H. 570. To authorize each municipality in this State to donate certain real property (whether acquired prior to or subsequent to the enactment hereof) to the United States of America for use by the said United States for defense and related purposes, to authorize each such municipality to issue its bonds, warrants or the evidences of indebtedness for the purpose of providing funds to purchase such real property and to authorize each such municipality to convey such real property to a "related public corporation" under Chapter 63 of Title 11 of the Code of Alabama of 1975 for the purpose of enabling such public corporation to donate the said real property to the United States.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bedsole then requested and received permission to suspend the Rules in order to bring up the following Bill:

H. 802. To amend Section 33-1-3, Code of Alabama 1975, which establishes the office of the Director of state docks, so as to establish the qualifications of the office and to provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$5,000.00 the highest authorized salary for employees of the department in the classified service of the state.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bedsole then requested and received permission to suspend the Rules in order to bring up the following Bill:

H. 792. To amend Section 41-9-201(a), Code of Alabama 1975, which establishes the office of the Director of Development, so as to establish qualifications of office of Director of Development and provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$25,742.00 the highest authorized salary for employees of the Alabama Development Office who are subject to the provisions of the merit system law.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bedsole then requested and received permission to suspend the Rules in order to bring up the following Bill:

H. 541. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$6,000,000 in aggregate principal amount.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bedsole then requested and received permission to suspend the Rules in order to bring up the following Bill:

H. 542. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$6,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including (a) the power to make grants from the proceeds of the said additional bonds to counties, municipalities and local industrial development boards, economic development councils and airport authorities, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide for the execution, form and terms of such bonds and for the terms of sale thereof; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Sections 40-25-2 and 40-25-23, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the state treasurer shall be the custodian of the funds of the Authority.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bedford requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 558. To levy a per ton tax on all hazardous waste received by any operator of any commercial hazardous waste disposal site in this state; to distribute the proceeds of said tax to a special undercover drug law enforcement fund; to prescribe guidelines for expenditures from such special fund; to provide for annual audits of such special fund by the examiners of public accounts; to provide for the collection of said tax and for monthly reports by operators of commercial hazardous waste disposal sites; to authorize the state revenue commissioner to assess taxes with penalties when an operator fails to report; to provide definitions; and to provide for penalties for failure to comply with the provisions hereof.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bedford then requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 91. To require elected public officials and their employees and certain other persons who have any financial interest in any commercial hazardous



REGULAR SESSION  
28th Day

1979

waste disposal site in the state of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this act.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Horn requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 680. To make appropriations from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama and the United Cerebral Palsy Development Center for East Central Alabama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Horn, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Horn then requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 685. To make an appropriation from the Alabama Special Educational Trust Fund to Tuskegee University for the Small Farm Development and Assistance Program for the fiscal year 1987-88.

On motion of Senator Horn, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Horn then requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 641. To make an appropriation from the State General Fund for the fiscal year 1987-88 for the use of a sickle cell education program.

On motion of Senator Horn, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bailey requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 671. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Bailey, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bedford requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 675. To make an appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Bailey requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 443. To amend Section 26-16-31, Code of Alabama 1975, which provides for a state income tax refund designation program for the Children's Trust Fund, so as to increase the designations to \$5.00 for an individual tax return and \$10.00 for a joint tax return, effective for the tax year 1987; and to provide that funds remaining in the Children's Trust Fund at the end of each state fiscal year shall not revert to the general fund but shall be carried over into each subsequent state fiscal year.

On motion of Senator Bailey, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Rice requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 673. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Rice, further consideration of the Bill was postponed subject to the call of the Chair.

### RESOLUTION

Senator Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 192. AMENDING THE JOINT RULES OF THE TWO HOUSES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Joint Rules of the Two Houses of the Alabama Legislature are hereby amended by adding a new Rule to become effective on the first day of the next session, be it special or regular after Joint Rule 14 as follows:

Rule 15. All Legislative Business of the Senate and House of Representatives shall be transacted between the hours of 8:00 A.M. and 10:00 P.M. and only the introduction of Bills, Standing Committee Reports, and Messages from one House to the other shall be conducted after the hour of 8:00 P.M. However, the provisions of this Rule may be suspended by a vote of 3/5 of those elected in each House therein.

and renumber the remaining Rules accordingly.

Which was read and referred to the Standing Committee on Rules.

### BILLS ON THIRD READING RESUMED

Senator Bennett requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 644. To appropriate \$400,000 from the Alabama Special Educational Trust Fund to Children's Hospital in Birmingham, Alabama, for support and maintenance for the fiscal year ending September 30, 1988.

On motion of Senator Bennett, further consideration of the Bill was postponed subject to the call of the Chair.

**REGULAR SESSION  
28th Day**

1981

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Frazier:

H. 402. To amend Section 11-85-73, Code of Alabama 1975, relating to regional planning commissions and other entities and their authority to enter into contracts with other agencies, so as to designate further additional corporations which are within the purview of this statute; and to provide an effective date for this act.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 402—to the Committee on Governmental Affairs

**FURTHER CONSIDERATION OF H. B. 320**

The Senate proceeded to further consideration of the Bill, H. B. 320. The question was on the Ellis amendment No. 3 to the deGraffenried substitute.

The President and Presiding Officer of the Senate ruled that further consideration of the Bill, H. B. 320, and pending amendment and substitute, be postponed subject to the call of the Chair.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Reed:

H. 403. To provide that the annual state salary payable to circuit clerks and registers, effective January 16, 1989, shall be \$40,000 and to provide that such increase shall in no event cause a register's state salary to exceed \$40,000.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 403—to the Committee on Governmental Affairs

**POINT OF PERSONAL PRIVILEGE**

Senator Rice requested that the following statement be read and spread upon the Journal, to-wit:

Mr. President: I wish to have the journal show that the time on the Senate clock is now 9:28 P.M., further, I would like for the Chair to determine the presence of a quorum, further, should the chair determine that a quorum is present then I would like for the journal to show the names of those present, further, I would like for the journal to show the time determination is made.

Whereupon, at 9:30 P.M., upon a call of the Roll, the following Senators responded to their names:

Senators:	Corbett	Figures	Manley
Bailey	deGraffenried	Foshee	Mitchem
Barron	Denton	Hand	Preuitt
Bedford	Dial	Hilliard	Rice
Bennett	Dixon	Horn	Sanders
Bishop	Drinkard	Langford	Smith (J)
Campbell	Ellis		

—25

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Richardson:

H. 13. To amend Sections 32-8-2 and 32-8-87 of the Uniform Certificate of Title and Antitheft Act so as to define the terms "scrap metal processor" and "scrap vehicle," to provide further for the persons who must mail certain certificates to the Department of Revenue when a vehicle is scrapped, dismantled, destroyed or changed, to alter the time period when certain documents must be delivered to the Department of Revenue; to remove the requirement that the vehicle's identification number plates and license plate(s) must be returned to the Department of Revenue in certain instances when the vehicle is changed or is damaged to a certain extent or when total loss or salvage has occurred or total loss due to theft of the vehicle has occurred; to remove the requirement that the title of a rebuilt motor vehicle must be stamped rebuilt in certain instances; to reduce the criminal penalty imposed against certain persons for possessing a motor vehicle which is junk or salvage or a total loss when certain identification has been removed; to reduce the criminal penalty imposed against any person who shall authorize, direct, aid in or consent to the possession, sale or exchange or offer to sell, exchange or give away certain certificates or forms of identification of a motor vehicle which has been scrapped, dismantled or sold as junk or salvage or as a total loss; and to remove owners of scrap metal processing plants from the provision providing that it shall be unlawful for certain owners to have in their possession any motor vehicle which is junk, salvage or a total loss when certain identification has been removed.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 13—to the Committee on Small Business

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Junkins, Blake, Layson, Marks, and Turnham:

H. 32. To create a State Publications Depository Program for maximum availability and distribution of state publications to the public; to establish the Alabama Publications Clearinghouse, as a division of the Alabama Public Library Service, and to provide for its operations, duties and authority; to authorize the Alabama Public Library Service to make and implement reasonable rules and regulations; to establish the Advisory Council for the State Publications Depository Program and to provide for the membership, terms, duties, qualifications and powers; to define the duties and powers of the Alabama Department of Archives and History relative to the depository program for state publications and the distribution of microform products; to require each state agency to designate a publications officer from among its staff and to notify the said clearinghouse of the designee, and to provide certain state publications and related information; to provide for the criteria and eligibility of depositories, including the United States government depository libraries; to provide that funding be from appropriations made to the use of the Alabama Public Library Service; to provide for the said service to make reimbursement of certain reasonable costs of producing microforms by the Department of Archives and History; to repeal section 41-6-12, Code of Alabama 1975, as amended, which requires the printing of 250 additional copies of state publications for use by the Department of Archives and History.

JOHN W. PEMBERTON,  
Clerk.

**MOTION IN WRITING**

Senator Rice offered the following Motion in Writing, to-wit:

**MOTION IN WRITING**

I move that H. 32 be read at length as required under Section 63, Article IV, Constitution of Alabama 1901, and under Senate Rule 24.

I further request that this motion and the resolution thereof be recorded and spread upon the Journal of the Senate.

On motion of Senator Smith (J), said Motion in Writing was laid on the table.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 32—to the Committee on Small Business

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. Johnson (RG), White (L), and Beasley:

H. 973. Relating to health care authorities organized or reincorporated pursuant to the provisions of Act No. 82-418 enacted at the 1982 Regular Session of the Legislature (article 11 of chapter 21 of Title 22 of the Code of Alabama 1975, as amended); to make certain findings with respect to such health care authorities; to grant to any such health care authority the limited power to amend its certificate of incorporation or certificate of reincorporation (without the necessity of any approvals or consents, other than that of its board of directors, that would otherwise be required) so as to provide that any of the members of its board of directors required to be elected or appointed by the governing body of any county or municipality that authorized the organization or reincorporation of such health care authority shall be elected only from a list of nominees (not less than three in number) proposed by its board of directors; to grant to any such health care authority the additional power to issue (and provide security for) bonds, notes, and other obligations and securities that are not limited as to source of payment and that are general obligations of such health care authority; to make further provision with respect to the furnishing by a health care authority of office space to nonhospital-based physicians, dentists or other health care professionals; and to provide further for investments of proceeds from the sale of securities and other moneys of a health care authority.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 973—to the Committee on Health

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Williams:

H. 902. To provide further for the compensation and expense allowances of the Secretary of State and State Auditor.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 902—to the Committee on Rules

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Logan:

H. 69. To amend Section 13A-12-3, Code of Alabama 1975, relating to the offense of the selling of cigarettes to minors, so as to make the offense applicable to sales to persons less than 18 years of age; to include the sale of smokeless tobacco in the offense; and to increase the fine upon a conviction of the offense.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 69—to the Committee on Judiciary

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Jenkins:

H. 93. To provide that a retired state policeman may accept employment with another state, city or county agency and continue to receive his retirement benefits but shall not receive additional retirement benefits for his new employment even though he contributes to the retirement systems.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 93—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Junkins:

H. 94. Relating to employees of the State of Alabama, to provide that the spouse and children of any such employee who is killed in the line of duty shall receive the same preference points for purposes for state employment as are awarded to honorably discharged veterans of the United States armed services.

Also:

By Rep. Turnham:

H. 1007. To amend Sections 11-54A-1, 11-54A-2 and 11-54A-9 of the Code of Alabama 1975 to permit Downtown Redevelopment Authorities to undertake projects for use by governmental entities, subdivisions, agencies, boards and institutions, by public corporations, institutions, agencies and boards, and by organizations, corporations, institutions and entities organized and operated for educational or charitable purposes at any location within the boundaries of the city which authorizes the incorporation of any Downtown Redevelopment Authority.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 94 and 1007—to the Committee on Rules

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. White (L), Beasley, Johnson (RG), Butler, and Mikell:

H. 793. To establish the Alabama Impaired Professionals' Committee; to provide that the State Board of Dental Examiners and the Board of Pharmacy shall have certain duties and obligations to promote early identification, intervention, treatment and rehabilitation of the professional within their jurisdictions and impaired by reason of illness, inebriation, excessive use of certain drugs, and controlled substances, alcohol, chemicals or other dependent forming substances, or as a result of physical or mental condition; to define the term impaired; to authorize the State Board of Dental Examiners and the Board of Pharmacy to contract with any non-profit corporation for the creation of the Alabama Impaired Professionals' Committee; to provide for the functions and responsibilities of the committee under a contract between the State Board of Dental Examiners and the Board of Pharmacy



and a non-profit corporation or health provider professional association; to prescribe procedures for the reporting of information from the Alabama Impaired Professionals' Committee to the respective boards; to prescribe that a professional serving as a member of the Alabama Impaired Professionals' Committee shall not be liable to any person for any claim for damages as a result of any decision, opinion, investigation or action taken as a member of such committee; to provide that a non-profit corporation or medical or health provider professional association shall not be liable to any person for damages for any action taken by the Alabama Impaired Professionals' Committee or any member thereof; to provide that all information, interviews, reports, statements, memorandum or other documents furnished to or produced by the Alabama Impaired Professionals' Committee and any findings, conclusions, recommendations or reports of such committee shall be privileged and confidential and shall not be considered public records nor available for court subpoena or for discovery proceedings; to provide that the Alabama Impaired Professionals' Committee shall render annual reports to the respective state boards and shall report to the respective professional body any professional, within their respective jurisdiction, currently in the need of intervention, treatment, or rehabilitation who has failed or refused participation in programs of treatment or rehabilitation recommended by the committee; to provide that a report to the Alabama Impaired Professionals' Committee shall deem to be a report to the said boards, for the purpose of any mandated reporting of professional impairment otherwise provided for by law; to provide that where the said boards have cause to believe a dentist or pharmacist is impaired the board may cause an evaluation of such impaired professional to be conducted by the Alabama Impaired Professionals' Committee; to provide for the severability of the provisions of this act; to provide for cumulative effect; to provide for the repeal of all laws in conflict with this act; and to provide an effective date for this act.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 793—to the Committee on Health

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Penry, Drake, McClain, Layson, Harvey, Carter, Butler, Adams, Campbell, Laird, Richardson, Newman, Grouby, Zoghby, Clark (W), McMillan, Blake, Turner, Davis, Buskey (JL), Gaston, Clark (J), Hettinger, Moon, White (L), Higginbotham, Hogan, Marks, Williams, Venable, Kennedy, Seibels, Breedlove, Johnson (RW), Rains, Bowling, Gray, Starkey, Newton, Wright, Petelos, Perdue, Grayson, Hill, Hooper, Curry, Knight, Freeman, Hall, Harper, Blakeney, Bryant, Black, Thomas,

Johnson (RG), Beasley, Carothers, Haynes, Holley, Frazier, Willis, Walker, Mikell, and Kvalheim:

H. 779. To amend Section 12-21-131, Code of Alabama 1975, which relates to interpreters for judicial proceedings for persons defective in speech and/or hearing, so as to provide further for such interpreters.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 779—to the Committee on Rules

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Reps. Buskey (JL), Rogers, Thomas, and Black:

H. 873. Authorizing certain institutions of higher learning to condemn lands needed for their educational purposes and providing that this act shall have certain supplemental effect.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 873—to the Committee on Rules

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Brooks, Knight, Freeman, Wright, Box, Hooper, Johnson (RW), and Butler:

H. 774. To propose that, in election contests, any party or candidate involved in the contest is entitled to make an examination of the ballots cast, given or rejected in the election provides the procedures for examination of the ballots cast, given or rejected.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 774—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Kennedy:

H. 771. To require the state to provide subsidized child day care services for eligible children and to make a conditional appropriation of \$6,300,000.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 771—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Petelos:

H. 638. To provide an exemption from the competitive bid law for municipalities acting pursuant to the authority granted by Act #105 of the 1971 3rd Special Session of the Alabama Legislature.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 638—to the Committee on Rules

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Melton (With Notice and Proof):

H. 687. Relating to Tuscaloosa County; to grant the West Tuscaloosa Community Health Center, Inc. the same rights, privileges and powers granted

to Medical Clinic Boards established pursuant of Sections 11-58-1 et seq of the Code of Alabama 1975, and to Nonprofit Corporations established pursuant to 10-3A-1 et seq of the Code of Alabama 1975.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 687, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Holley (With Notice and Proof):

H. 1108. To alter or rearrange the boundary lines of the City of Enterprise, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1108, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 687 and 1108—to the Committee on Rules

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turner:

H. 598. To amend Section 37-3-4 of the Code of Alabama 1975, relating to motor vehicle carriers, so as to exempt certain trucks and trailers from the regulatory provisions of the "Alabama Motor Carrier Act."

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 598—to the Committee on Commerce, Transportation, and Utilities

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Zoghby:

H. 127. To authorize the governing body of any municipality, or any municipality or municipalities to establish historic preservation commissions and architectural review boards in order to preserve and protect buildings, sites, structures, areas and districts of historic significance, architectural, archaeological and aesthetic heritage in the state, and to promote these attractions to tourists and visitors; to provide for the membership, the qualifications and terms, the powers, duties, and appointments to such commissions and boards; to prescribe that certain reporting shall be made to the Alabama Historical Commission and to the local governing bodies; to provide for the reimbursement of expenses of members, the rules of procedures for operations, and notice of meetings; to provide that each commission shall constitute a non-profit governmental agency whose funds shall be used exclusively for public purposes; to prescribe that certain restrictions shall be placed on designated properties, and provide exceptions thereto; to provide for appeals and other judicial processes; to preserve certain existing historic development commissions or architectural review boards; to authorize these to be certified with local government status or to assume the powers of this act pursuant to proper ordinance; to provide for exceptions to certain highways, roads, streets, utility structures or facilities or bridges, including the properties utilized in connection therewith, and to provide for exceptions to certain highways, roads, streets, utility structures or facilities or bridges; and to provide that the provisions of this act are cumulative.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 127—to the Committee on Governmental Affairs

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Rep. Laird:

H. 222. To amend Sections 37-6-2 and 37-6-3, Code of Alabama 1975, to provide that electric cooperatives incorporated under Chapter 6 of Title 37 may provide television reception services, including programming. To clarify the power of cooperatives to condemn property devoted to public use and to provide for indemnification of trustees, directors, officers, employees or agents of a cooperative or serving at the request of the cooperative in such capacity with another entity from liability and expenses of defense in connection with any civil, criminal, administrative or investigative proceeding

if such person acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interest of the cooperative or other entity or, in connection with criminal actions, if he had no reasonable cause to believe his conduct was unlawful, to provide that such indemnification shall not be made if a person is adjudged to be liable for negligence or misconduct unless the relevant court shall determine that such person should fairly and reasonably be entitled to indemnification, to establish the procedures to be followed in determining that indemnification of such a person is proper in the circumstances and that he has met the required standard of conduct, to provide for advance payment of expenses of defense, to provide that such indemnification rights are not exclusive of any other rights to which a person may be entitled and to authorize a cooperative to purchase insurance covering liabilities asserted against such persons.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 222—to the Committee on Commerce, Transportation, and Utilities

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Gray, Penry, Crow, Seibels, McKee, Adams, Bowling, Blake, Hamilton, Petelos, and Wright:

H. 307. To require hospitals to notify all pre-hospital agencies who assisted in delivering a person to a hospital, if the hospital learns said person has an infectious disease and to prescribe certain criminal penalties.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 307—to the Committee on Health

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Walker, Headley, Grouby, Mikell, Frazier, and Blakeney:

H. 328. To further provide for the civil procedures, exemptions, and remedies, from certain levies and sales under process, and garnishment

REGULAR SESSION  
28th Day

1993

proceedings and garnishment maximums; to further amend and provide for: Section 6-10-6 relating to personal property exemptions from certain levies and sales, so as to exclude wages, salaries or other compensation; Section 6-10-37 relating to the garnishment of money, choses in action or personal property, so as to prescribe that the maximum of such amounts shall be those provided by the Constitution or federal laws; and Section 5-19-15 relating to the allowable maximum garnishment, so as to conform the basis to that of federal law.

JOHN W. PEMBERTON,  
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 328—to the Committee on Judiciary

FURTHER CONSIDERATION OF S. B. 680

The Senate proceeded to further consideration of the Bill, S. B. 680.

BUDGET ISOLATION RESOLUTION

Senator Corbett, B. I. R., S. B. 680, adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Dial	Hale	Mitchem
Bailey	Dixon	Hand	Parsons
Bennett	Drinkard	Hilliard	Rice
Campbell	Ellis	Horn	Sanders
deGraffenried	Figures	Langford	Smith (J)
Denton	Foshee	Manley	

—22

Nays:

—0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 680. To make appropriations from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama and the United Cerebral Palsy Development Center for East Central Alabama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

Senator Bennett offered the following amendment to the Bill, S. B. 680, to-wit:

AMENDMENT TO S. B. 680

Amend Senate Bill 680 on page 1, line 9 after the word "Alabama" and on page 1, line 19 after the word "Alabama" by inserting the following:

"and from the State General Fund for the Simpson-May Cerebral Palsy Center"

Further amend the bill on page 1 after line 30 by inserting the following:

"Section 2. For the fiscal year 1987-88, there is hereby appropriated to the Simpson-May Cerebral Palsy Center from the State General Fund, the sum of Thirty-Five Thousand Dollars (\$35,000)."

Further amend by re-numbering the remaining sections accordingly.

Which was adopted.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Campbell	Ellis	Langford	
Bailey	Corbett	Figures	Manley	
Barron	deGraffenried	Hale	Mitchem	
Bedford	Dial	Hand	Parsons	
Bennett	Dixon	Hilliard	Rice	
Bishop	Drinkard	Horn	Sanders	—23

*Nays:* —0

And said Bill, S. B. 680, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Hale	Menton	
Bailey	Dial	Hand	Mitchem	
Bennett	Dixon	Hilliard	Preuitt	
Bishop	Drinkard	Horn	Rice	
Campbell	Ellis	Langford	Sanders	
Corbett	Figures	Manley	Smith (J)	
deGraffenried	Foshee			—25

*Nays:* —0

### FURTHER CONSIDERATION OF S. B. 685

The Senate proceeded to further consideration of the Bill, S. B. 685.

### BUDGET ISOLATION RESOLUTION

Senator Corbett, B. I. R., S. B. 685, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Denton	Hale	Mitchem	
Bailey	Dixon	Hand	Preuitt	
Bennett	Drinkard	Hilliard	Rice	
Bishop	Ellis	Horn	Sanders	
Campbell	Figures	Langford	Smith (J)	
deGraffenried	Foshee	Manley		—22

*Nays:* —0



**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 685. To make an appropriation from the Alabama Special Educational Trust Fund to Tuskegee University for the Small Farm Development and Assistance Program for the fiscal year 1987-88.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Denton	Hale	Mitchem
Bailey	Dixon	Hand	Parsons
Bennett	Drinkard	Hilliard	Preuitt
Bishop	Ellis	Horn	Rice
Campbell	Figures	Langford	Sanders
Corbett	Foshee	Manley	Smith (J)
deGraffenried			

—24

*Nays:* —0

**FURTHER CONSIDERATION OF S. B. 641**

The Senate proceeded to further consideration of the Bill, S. B. 641.

**BUDGET ISOLATION RESOLUTION**

Senator Corbett, B. I. R., S. B. 641, adopted.

Yeas 21; Nays 1.

*Yeas:*

Senators:	Denton	Goodwin	Menton
Bailey	Dixon	Hand	Mitchem
Bennett	Drinkard	Hilliard	Preuitt
Bishop	Ellis	Langford	Rice
Campbell	Figures	Manley	Sanders
deGraffenried	Foshee		

—21

*Nay:* Senator Parsons —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 641. To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 641, to-wit:

### SUBSTITUTE FOR S. B. 641

#### A BILL TO BE ENTITLED AN ACT

To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year 1987-88, there is hereby appropriated from the Alabama Special Educational Trust Fund, the sum of Two Hundred Seventeen Thousand Dollars (\$217,000) for the use of a sickle cell education program.

Section 2. For the fiscal year 1987-88, there is hereby appropriated from the State General Fund the sum of Three Hundred Seventy-Six Thousand Five Hundred Sixty-One Dollars (\$376,561) for the use of the sickle cell education program.

Section 3. The Jefferson County Sickle Cell Detection Committee, Inc., shall serve as the statewide administrator of this program and shall distribute funds to the several regional Sickle Cell Associations/Foundation.

Section 4. Prior to release of any funds appropriated under this bill for fiscal year 1987-88, an operations plan for fiscal year 1986-87 and an audited financial statement for all operations during fiscal year 1985-86 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1987-88 funds following receipt of these reports.

Section 5. This act shall become effective on October 1, 1987.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Bailey	Corbett	Foshee	Manley	
Barron	Denton	Goodwin	Menton	
Bedford	Dixon	Hand	Preuitt	
Bennett	Drinkard	Hilliard	Rice	
Bishop	Ellis	Horn	Sanders	—23

Nays: —0

And said Bill, S. B. 641, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

**REGULAR SESSION  
28th Day**

1997

Yeas 24; Nays 0.

*Yeas:*

Senators:	Denton	Foshee	Manley
Bailey	Dial	Goodwin	Menton
Bedsole	Dixon	Hand	Parsons
Bennett	Drinkard	Hilliard	Preuitt
Bishop	Ellis	Horn	Rice
Campbell	Figures	Langford	Sanders
Corbett			

—24

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., S. B. 686, adopted.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Campbell	Foshee	Manley
Bailey	Denton	Goodwin	Menton
Barron	Dixon	Hale	Preuitt
Bedsole	Drinkard	Hand	Sanders
Bennett	Ellis	Langford	Smith (J)
Bishop			

—20

*Nay:* Senator Corbett

—1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 686. To make a conditional appropriation from the Special Educational Trust Fund to Faulkner University.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley
Bailey	Denton	Goodwin	Menton
Barron	Dial	Hale	Preuitt
Bedsole	Dixon	Hand	Rice
Bennett	Drinkard	Horn	Sanders
Bishop	Ellis	Langford	Smith (J)
Campbell			

—24

*Nays:*

—0

**RULE 35 SUSPENDED**

On motion of Senator Corbett, the provisions of Rule 35 were suspended to allow transmittal to the House of the Bills, S. B.'s 641, 696, 680, and 685.

**RESOLUTION**

Senators Hand, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Resolution, to-wit:

**S. R. 193. McDOWELL LEE, SENATE SECRETARY, HONORED.**

WHEREAS, our own Secretary of the Senate, McDowell Lee, is serving as one of the nation's "Deans" of Legislative Secretaries, and;

WHEREAS, he has served as Staff Vice-President of the National Conference of State Legislatures, President of the American Society of Legislative Clerks and Secretaries, been appointed to the Mason's Manual Review Committee, a special committee tapped to rewrite Mason's Manual of Legislative Procedure, and;

WHEREAS, Mr. Lee has been selected as one of 10 legislative leaders to participate in the Atlantic Exchange Program to represent the members and staff of the Alabama Senate in an intensive exchange study program with members of the Dutch Parliament and National Government at the Hague, meetings with senior officials of the European Economic Community in Brussels, and the European Parliament in Strasbourg, France; and

WHEREAS, the Atlantic Exchange Program's stated purpose is to promote exchange of views on an international level among parliamentarians, legislators and others and to promote greater understanding of comparative parliamentary and legislative approaches to resolving issues; now therefore,

BE IT RESOLVED BY THE ALABAMA SENATE, That we most heartily congratulate our own Senate Secretary, McDowell Lee on this outstanding appointment, and support his participation in this unique program.

Which was adopted.

**FURTHER CONSIDERATION OF S. B. 671**

The Senate proceeded to further consideration of the Bill, S. B. 671.

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., S. B. 671, adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Denton	Foshee	Langford
Bailey	Dial	Goodwin	Manley
Barron	Dixon	Hale	Menton
Bedsole	Drinkard	Hand	Preuitt
Bennett	Ellis	Horn	Rice
Campbell			

—20

Nays:

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

S. 671. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September

**REGULAR SESSION  
28th Day**

1999

30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Campbell	Ellis	Langford
Bailey	Corbett	Foshee	Manley
Barron	Denton	Hale	Menton
Bedford	Dial	Hand	Preuitt
Bedsole	Dixon	Holmes	Rice
Bennett	Drinkard	Horn	Smith (J)
Bishop			

—24

*Nays:* —0

On motion of Senator Bailey, the provisions of Rule 35 were suspended to allow transmittal to the House of the Bill, S. B. 671.

Senator Bailey requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 619. To make an appropriation from the Alabama Special Educational Trust Fund to the East Alabama Child Development Center for the fiscal year ending September 30, 1988, in the amount of \$1,065,921.00 for support and maintenance.

On motion of Senator Bailey, further consideration of the Bill was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Corbett, B. I. R., S. B. 676, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Campbell	Drinkard	Holmes
Bailey	Covington	Figures	Horn
Barron	Denton	Goodwin	Langford
Bedsole	Dial	Hale	Manley
Bennett	Dixon	Hand	Mitchem

—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 676. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama League for Advancement of Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Langford	
Bailey	Denton	Hale	Manley	
Barron	Dial	Hand	Mitchem	
Bedford	Dixon	Hilliard	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Bishop	Ellis	Horn	Sanders	
Corbett				—24

*Nays:* —0

On motion of Senator Corbett, the provisions of Rule 35 were suspended to allow transmittal to the House of the Bill, S. B. 676.

Senator Ellis requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 669. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Network of Alabama Academic Libraries for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Ellis, further consideration of the Bill was postponed subject to the call of the Chair.

Senator Ellis requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 674. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Outdoor Drama for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Ellis, further consideration of the Bill was postponed subject to the call of the Chair.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1139. To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

By Rep. Harper:

H. 1140. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending

**REGULAR SESSION**  
**28th Day**

2001

September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

By Rep. Harper:

H. 1141. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1139, 1140, and 1141—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1143. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1143—to the Committee on Rules

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following bill:

By Reps. White (L) and Johnson (RG):

H. 832. To provide for a voluntary check-off designation on state individual income tax returns or supplemental schedules, for the 1988 tax year and each year thereafter for the Alabama Veterans' Nursing Home Program; to provide the form for such designation; to provide for the crediting to the Department of Veterans' Affairs of the total amount designated for nursing

home and health care services for aged and disabled veterans in Alabama; and to provide for an effective date.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 832—to the Committee on Finance and Taxation

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hogan:

H. 844. To allow United States retired military persons to purchase distinctive motor vehicle license plates or tags; to prohibit the transfer of such plates; to prescribe the manner of charging for such license plates or tags; and to provide for the duties and powers of the commissioner of revenue, the probate judge or license commissioner.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 844—to the Committee on Commerce, Transportation, and Utilities

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Marks, Drake, Dillard, Hamilton, Richardson, and Logan:

H. 907. To amend Section 20-2-90 of the Code of Alabama 1975, which relates to the enforcement of the Alabama Uniform Controlled Substances Act, so as to give officers of the alcoholic beverage control board certain powers in regard thereto.

JOHN W. PEMBERTON,  
Clerk.



**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 907—to the Committee on Judiciary

**BUDGET ISOLATION RESOLUTION**

Senator Hilliard requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Hilliard, B. I. R., S. B. 713, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Ellis	Holmes	Parsons
Amari	Figures	Horn	Preuitt
Bennett	Foshee	Langford	Rice
Cabaniss	Goodwin	Manley	Sanders
Corbett	Hale	Menton	Smith (B)
deGraffenried	Hand	Mitchem	Smith (J)
Dial	Hilliard		

—25

*Nays:* —0

The Notice and Proof for the Bill, S. B. 713, has been delivered and is attached.

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 713. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, to make the provisions of the retirement and relief system of the City of Birmingham available to the employees of the Birmingham Airport Authority upon election of such coverage by the Birmingham Airport Authority.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Langford
Amari	Denton	Hale	Manley
Bailey	Dial	Hand	Menton
Barron	Dixon	Hilliard	Parsons
Bedford	Ellis	Holmes	Preuitt
Bedsale	Figures	Horn	Rice
Bennett	Foshee		

—25

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Hilliard requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Hilliard, B. I. R., S. B. 450, adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Ellis	Holmes	Parsons	
Amari	Figures	Horn	Preuitt	
Barron	Foshee	Langford	Rice	
Bennett	Goodwin	Manley	Sanders	
Cabaniss	Hale	Menton	Smith (B)	
Campbell	Hand	Mitchem	Smith (J)	
Drinkard	Hilliard			—25

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

S. 450. Relating to Class I municipalities, to provide that the courts of this state shall take judicial notice of all municipal ordinances of such municipalities.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Langford	
Amari	Dial	Hale	Manley	
Bedsole	Dixon	Hand	Menton	
Bennett	Drinkard	Hilliard	Mitchem	
Bishop	Ellis	Holmes	Parsons	
Cabaniss	Figures	Horn	Preuitt	
deGraffenried	Foshee			—25

*Nays:*

—0

**RULE 35 SUSPENDED**

On motion of Senator Hilliard, the provisions of Rule 35 were suspended to allow transmittal to the House of the Bills, S. B.'s 713 and 450.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1125. To make an appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending

**REGULAR SESSION**  
**28th Day**

2005

September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1125—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Campbell:

H. J. R. 474. RELATIVE TO MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn on the 29th Legislative day, that we adjourn to meet again on August 3, 1987, and that when we adjourn on August 3, 1987, we adjourn sine die.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Denton, the Rules were suspended and the Resolution, H. J. R. 474, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**FURTHER CONSIDERATION OF S. B. 341**

The Senate proceeded to further consideration of the Bill, S. B. 341.

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., S. B. 341, adopted.

Yeas 17; Nays 2.

*Yeas:*

Sensors:	Bennett	Figures	Manley	
Bailey	Covington	Hand	Mitchem	
Barron	Denton	Holmes	Rice	
Bedford	Dial	Langford	Sanders	
Bedsole	Dixon			—17

*Nays:*

Sensors:	Amari	Smith (B)	—2
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**BILLS ON THIRD READING RESUMED**

**THE BILL:**

S. 341. To create the Police Officer's and Firefighter's Survivor Educational Assistance Act; to provide for tuition assistance and other costs for

an undergraduate student in a state college, community college, junior college, technical college or state university who is the dependent child, or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to provide that the Alabama Commission on Higher Education shall administer the provisions of the act; to create the Tuition Eligibility Board and provides for membership; to make an appropriation; and to repeal Sections 36-21-95 through 36-21-99, Code of Alabama 1975, the Policeman's Survivor Tuition Act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Mitchem	
Bailey	Covington	Foshee	Parsons	
Barron	Denton	Hand	Rice	
Bedford	Dial	Holmes	Sanders	
Bedsole	Dixon	Langford	Smith (B)	
Bennett	Ellis			—21

*Nays:*

—0

On motion of Senator Bedford, the provisions of Rule 35 were suspended to allow transmittal to the House of the Bill, S. B. 341.

#### MESSAGE FROM THE GOVERNOR

To The Senate of Alabama  
Alabama State House  
Montgomery, Alabama

Lady and Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill No. 487, without the Governor's signature and approval, but with the following Executive Amendment.

DONE this 16th day of July, 1987.

Respectfully submitted,

JOHN E. GRENIER,  
Executive Secretary.

To The Senate of Alabama  
Alabama State House  
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 487, without my approval and with the following suggested Executive Amendment:

#### EXECUTIVE AMENDMENT TO SENATE BILL NO. 487:

On page 2, beginning on line 12, after the word "chairman" delete the comma and the following language:

~~provided, however, the provisions of this section shall not be construed to include any compensation for his duties as judge of probate."~~

REGULAR SESSION  
28th Day

2007

In lieu of the above deleted language, after the word "chairman" on page 2, line 12, substitute the following language:

and as probate judge.

The adoption of the above suggested amendment will remove my objections to this bill.

Respectfully,

GUY HUNT,  
Governor.

**GOVERNOR'S MESSAGE**

On motion of Senator Covington, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 487. Relating to Dale County; providing for the chairman of the county commission; amending Section 2 and repealing Section 3 of Act No. 1955, H. 1827, Regular Session 1971 (Acts 1971, p. 3174), which provides for the chairman of such commission, so as to transfer such office and duties to the judge of probate who shall be the chairman ex officio; providing that the duties and the compensation of such chairman shall be as provided by law; providing no ballot shall contain the office of chairman of county commission separate from the judge of probate.

which said amendment is set out in the foregoing Message from the Governor, by a vote of

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Langford
Amari	Cabaniss	Hale	Manley
Bailey	Campbell	Hand	Menton
Barron	Covington	Hilliard	Mitchem
Bedford	Ellis	Holmes	Parsons
Bedsole	Figures	Horn	Preuitt
Bennett	Foshee		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

**FURTHER CONSIDERATION OF S. B. 111**

The Senate proceeded to further consideration of the Bill:

S. 111. Proposing an amendment to the Constitution of Alabama of 1901, establishing a state attorneys' inquiry commission which shall conduct investigations into complaints concerning state attorneys; creating a court of state attorneys to hear complaints filed by the commission; creating a state attorneys' canon promulgating committee to promulgate canons of ethics; and to repeal any prohibition of retirement for District Attorneys.

as amended by the Committee substitute, which said substitute is set out in the Journal of the Senate and postponed subject to the call of the Chair on the Twenty-Second Legislative Day.

And said Bill, S. B. 111, as amended by the substitute, was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Campbell	Dixon	Manley	
Amari	Corbett	Ellis	Mitchem	
Barron	Covington	Hale	Parsons	
Bedford	deGraffenried	Hand	Rice	
Bedsole	Denton	Holmes	Sanders	
Bennett	Dial	Langford	Smith (B)	—23

*Nays:* —0

On motion of Senator Dial, the provisions of Rule 35 were suspended to allow transmittal to the House of the Bill, S. B. 111.

### FURTHER CONSIDERATION OF S. B. 236

The Senate proceeded to further consideration of the Bill:

S. 236. To amend Section 13A-7-29, Code of Alabama 1975, relating to criminal littering, so as to provide that certain types of litter and littering shall constitute prima facie evidence of an individual's criminal actions.

as amended by the Bedsole substitute, which said substitute is set out in the Journal of the Senate and postponed subject to the call of the Chair on the Nineteenth Legislative Day.

And said Bill, S. B. 236, as amended by the substitute, was read a third time at length and passed and ordered sent forthwith to the House upon engrossment.

Yeas 24; Nays 0

*Yeas:*

Senators:	Cabaniss	Dial	Holmes	
Amari	Campbell	Dixon	Langford	
Barron	Corbett	Ellis	Manley	
Bedford	Covington	Foshee	Rice	
Bedsole	deGraffenried	Hale	Sanders	
Bennett	Denton	Hand	Smith (B)	—24
Bishop				

*Nays:* —0

On motion of Senator Parsons, the provisions of Rule 35 were suspended in order to allow transmittal to the House of the Bill, S. B. 236.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1134. To make an appropriation from the Alabama Special Educational Trust Fund to the Children's Hospital in Birmingham, Alabama,

**REGULAR SESSION  
28th Day**

2009

for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1134—to the Committee on Rules

**FURTHER CONSIDERATION OF H. B. 325**

The Senate proceeded to further consideration of the Bill, H. B. 325, which said Bill was postponed subject to the call of the Chair on the Twenty-Fourth Legislative Day.

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B. I. R., H. B. 325, adopted.

Yeas 22; Nays 1.

*Yeas:*

Senators:	Denton	Foshee	Mitchem	
Bedford	Dial	Hale	Preuitt	
Bishop	Dixon	Hand	Sanders	
Cabaniss	Drinkard	Holmes	Smith (B)	
Campbell	Ellis	Langford	Smith (J)	
Covington	Figures	Manley		—22

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 325. To amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed limit of motor vehicles, so as to provide for an increase in the maximum speed limit on certain portions of the Interstate System and to provide for the marking of trucks and maximum speed limit of trucks transporting explosives, flammable liquids or hazardous wastes.

was read a third time at length and passed.

Yeas 29; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Mitchem	
Amari	Corbett	Foshee	Parsons	
Bailey	Covington	Hale	Preuitt	
Bedford	Denton	Hand	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Langford	Smith (B)	
Bishop	Drinkard	Manley	Smith (J)	
Cabaniss	Ellis			—29

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1126. To make an appropriation from the Alabama Special Educational Trust Fund to the Eye Injury Register for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1126—to the Committee on Finance and Taxation

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and sends same forthwith to the Senate without engrossment:

By Rep. Harper:

H. 1127. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Network of Alabama Academic Libraries for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

By Rep. Harper:

H. 1128. To make an appropriation from the Alabama Special Educational Trust Fund to the Davis Theater for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1127 and 1128—to the Committee on Finance and Taxation

**CALENDAR BILLS INDEFINITELY POSTPONED**

On motion of Senator Hand, further consideration of all Senate Bills remaining on the Calendar was indefinitely postponed by the Senate.



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Marks and Parker (With Notice and Proof):

H. 1117. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 1117, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1117—to the Committee on Local Legislation No. 1

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 641. To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

S. 680. To make appropriations from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama and the United Cerebral Palsy Development Center for East Central Alabama and from the State General Fund for the Simpson-May Cerebral Palsy Center for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

JIM SMITH,  
Chairperson.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1006. Relating to Mobile County; directing and requiring the county governing body to provide for holding an advisory election relative to the question of alternative methods of levying additional county taxes to raise revenue for the Mobile County school board for purposes of public education.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 513. Relating to Jefferson County, authorizing the Jefferson County Coroner-Medical Examiner's Office to take corneal tissue during the course of autopsy proceedings.

Also:

H. 926. Providing for a medical examiner system for the investigation of certain types of deaths in Mobile County, Alabama; abolishing the office of county coroner; prescribing the manner of appointment, qualifications, powers and duties of the county medical examiner; prescribing procedures and requirements relating to postmortem examinations and autopsies of deaths occurring under certain circumstances in the county; requiring that certain deaths shall be reported to either the county medical examiner or a law enforcement agency in said county; providing protection from civil and criminal liability for such medical examiners properly performing their duties; transferring funds and equipment to the medical examiner system; requiring annual reports on such system to be submitted to the county governing body; imposing criminal penalties for certain violations of this act; and specifically repealing: Act No. 871, H. 1115 Regular Session 1951; Act No. 462, H. 862 Regular Session 1951; Act No. 563, S. 427 Regular Session 1943; Act No. 35, H. 198 and Act No. 36, H. 199 Special Session 1933; and Act No. 153, Regular Session 1866, all relating to the coroner or the operation of the coroner's office in Mobile County.

Also:

H. 938. Relating to Bullock County; providing further for the expense allowances for certain county officials to be paid at the discretion of the county commission.

Also:

H. 980. To propose an amendment to the Constitution of Alabama 1901, as amended, for Greene County to provide further for filling certain vacancies in certain county offices.

Also:

H. 983. Relating to Barbour County, to authorize the county commission to levy and collect certain taxes and fees, and to provide for the disposition of any proceeds from such taxes and fees.

**REGULAR SESSION  
28th Day**

2013

Also:

H. 987. Relating to Macon County; providing for an elected chairman for the Macon County Commission; prescribing procedures for the election of such chairman; prescribing procedure whereby the county commission shall decide whether such elected chairman shall be a part-time chairman or a full-time chairman; prescribing the salary and term of office of such county commission chairman; providing a certain expense allowance for such county commission chairman; providing for an interim chairman of the county commission if one becomes necessary and providing that this act shall have certain supplemental effect.

Also:

H. 993. Relating to Russell County; to amend Section 8 of Act No. 85-386, H. 540 of the 1985 Regular Session (Acts 1985, p. 332), relating to levying an additional sales tax, so as to provide further for the termination of any tax levied under the authority of this act.

Also:

H. 994. Relating to Russell County; to provide that the county commission may authorize two additional deputies to be employed by the sheriff.

Also:

H. 995. Relating to selling and redeeming lands for taxes in Russell County, Alabama.

Also:

H. 1018. Establishing the powers and authority and requirements of district attorney's investigators of the twenty-seventh judicial circuit of Alabama.

Also:

H. 1031. Relating to Marshall County; to amend Section 1 of Act No. 588, S. 838, 1977 Regular Session (Acts 1977, p. 781), which provides for the sheriff's employees and deputies, so as to provide further for their number, compensation and clothing allowance; to repeal conflicting acts including Acts No. 621, S. 720, and No. 630, H. 1289, 1976 Regular Session (1976 Acts, pgs. 854 and 868).

Also:

H. 1033. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gordon, in Houston County.

Also:

H. 1035. To promote the maintenance of Cleburne County's natural beauty by eliminating unsightly and unhealthy litter; to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified; to grant power and authority to the Cleburne County Health Department to enforce littering laws in Cleburne County; and to prescribe fines for violations.

Also:

H. 1036. To authorize a procedure whereby the Sheriff of Cleburne County, Alabama, shall offer for public auction to the highest bidder for

cash abandoned and stolen personal and unidentifiable property which has been recovered by the Sheriff's Department of Cleburne County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two (2) weeks in a newspaper of general circulation published in Cleburne County, Alabama, or by posting in a conspicuous place at the Cleburne County Courthouse; to provide that the first publication or posting of said notice shall be twenty (20) days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Cleburne County, Alabama, may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of Cleburne County, Alabama.

Also:

H. 1039. Proposing an amendment to the Constitution of 1901, as amended, relating to Morgan County and the levy of ad valorem taxes which exist or which hereafter are enacted.

Also:

H. 1040. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Also:

H. 1041. Relating to Morgan County; to authorize the Morgan County Commission to impose an additional excise tax on persons, corporations, partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county not to exceed one (1) cent additional tax per gallon; to provide for the collection and payment of such taxes and to provide the distribution and the use of the funds derived therefrom; to authorize the Morgan County Commission to make reasonable rules and regulations for the collection of such taxes, and to provide the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Morgan County Commission for the collection of said taxes; and to provide such taxes shall be supplemental to any and all other such taxes.

Also:

H. 1044. Amending Section 1 of Act No. 23, H. 140, Local Acts 1943 (Local Acts 1943, p. 14), as amended, which provides for the election of the Coosa County Superintendent of Education, so as to fill such office by appointment of the county board of education; providing for referendum; and repealing Section 2 of said act relating to the election of such office.

Also:

H. 1056. Relating to Marshall County; providing that the Marshall County Commission shall be authorized to levy sales and use taxes paralleling

REGULAR SESSION  
28th Day

2015

the state sales and use taxes with the same exemptions and exclusions for the purpose of funding public education; providing for the collection of the revenue from said taxes; providing that there shall be excluded from any such levy any incorporated municipality in Marshall County in which the general administration and supervision of public schools shall be vested in a city board of education; and providing for the discretionary holding of an advisory referendum.

Also:

H. 1057. Relating to Marshall County; approving an increase of the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the City of Arab School District (the boundaries of which district are coterminous with the corporate limits of said city) in Marshall County from the present millage to thirteen mills, all in accordance with Amendment No. 373 to said Alabama Constitution; such increased district ad valorem tax to be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year will be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year will be due and payable October 1, 1992) for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said City of Arab School District at a special election called and held in accordance with the laws governing special elections.

Also:

H. 1058. Relating to Marshall County; authorizing an increase in the district ad valorem school tax presently being levied pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 at the adjusted rate of three and one-half mills in the Marshall County School Tax District (commonly referred to as District No. 1 and consisting of all of said county except the City of Guntersville, the City of Albertville and the City of Arab school districts) in said county in accordance with Amendment No. 373 to said Constitution of Alabama 1901; providing that such increased district ad valorem tax shall be levied and collected by the governing body of Marshall County for each year beginning with the levy for the tax year ending September 30, 1988 (the tax for which year shall be due and payable October 1, 1988) and ending with the levy for the tax year ending September 30, 1992 (the tax for which year shall be due and payable October 1, 1992) for public school purposes and providing that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of said Marshall County School Tax District in a special referendum election called and held for such purpose in accordance with the laws governing special elections.

Also:

H. 1060. Relating to Lawrence County; to levy an additional filing fee in all cases filed in the probate, municipal, district or circuit courts of the county to be deposited in the Lawrence County Law Library Fund.

Also:

H. 1079. Relating to Sumter County; levying a lodging tax, providing for the collection and distribution of said tax.

Also:

H. 1082. Relating to Sumter County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Sumter County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Sumter County Commission for the collection of said taxes.

Also:

H. 1083. Relating to Greene County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

Also:

H. 1084. Relating to Sumter County; to establish in the county treasury an Indigent Health Care Fund to be funded by a portion of the proceeds from certain taxes levied in the county; to create an Indigent Health Care Committee and to provide for appointment of membership; and to authorize such committee to manage, approve and make disbursement of such fund for purpose of indigent health care.

Also:

H. 1085. Relating to Sumter County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

Also:

H. 1080. Relating to Sumter County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**REGULAR SESSION**  
**28th Day**

2017

H. 302. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sardis City, Alabama, in Etowah County.

Also:

H. 785. Relating to Houston County; authorizing branch banking.

Also:

H. 808. Relating to Montgomery County; authorizing the Montgomery County Commission and the Montgomery County Sheriff's Department to prohibit the overgrowth of weeds, the storage and accumulation of junk, inoperable motor vehicles and other litter; requiring a county license to operate a junkyard; and providing penalties for violations.

WHEREAS, accumulation or storage of junk, trash, scrap materials, rubbish, tires, inoperable motor vehicles, litter, debris, and other matter, all or any one or combination thereof, on premises within the unincorporated territory of Montgomery County constitutes a real and present danger and hazard to the health and safety of the citizens of the county; and

WHEREAS, such storage and accumulations are widespread and have caused reduction in the value of neighboring premises; now therefore,

Also:

H. 857. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Jackson Gap, in Tallapoosa County.

Also:

H. 894. Relating to Limestone County; providing that it shall be unlawful for one or more persons to willfully throw or cast headlights or any rays of artificial light in a certain manner and under certain conditions; to provide for certain exceptions and to prescribe penalty for violation.

Also:

H. 922. To provide that the City Council of the City of Sylacauga, Alabama, Talladega County, may by ordinance, adopted not less than six (6) months prior to the regular municipal election, divide the municipality into single-member districts; to provide residency requirements for candidates seeking election to the council from said districts; to provide that candidates for council member be elected by only the electors of the district they wish to represent; to provide procedures for filling a vacancy in the office of the mayor in any such municipality; and to require the municipal clerk to file a certified copy of the ordinance, together with a map or plat of the city or town showing the boundaries of such districts, with the Probate Judge of the county or counties in which the municipality is located.

Also:

H. 930. Relating to Lee County; authorizing the Lee County Board of Health to annually fix a schedule of fees for services rendered pursuant to the duties with which the board is charged; to provide for the annual examination and approval of such fee schedules by the county commission; to authorize the exemption of certain persons from paying said fees; to authorize the county board of health to promulgate rules and regulations proper for the administration of this act.

Also:

H. 933. Relating to the Twenty-eighth Judicial Circuit; providing for certain county salary supplements for the circuit judges and district attorney in said circuit in lieu of any local salary supplements and expense allowances heretofore provided by law for such judges and district attorney; prescribing the manner and time frame within which such county salary supplements shall be paid from the county general fund of the county containing said circuit and prescribing certain conditions which may be relative to the payment of such salary supplements.

Also:

H. 945. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Also:

H. 946. Relating to Pickens County; to provide further for the expense allowance of the county coroner and to provide for retroactive effect.

Also:

H. 947. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Also:

H. 954. Relating to Calhoun County; amending Act No. 80-86, 1980 Regular Session (Acts of 1980 Regular Session), so as to increase the fee for issuance of pistol permits to persons under age 65 by the sheriff; and to change the method of distribution of such fees.

Also:

H. 955. Relating to Chilton County; abolishing the office of county treasurer; investing all the duties and powers of the county treasurer under the supervision of a county official designated as county administrator; and providing for the appointment and compensation of such county administrator.

Also:

H. 956. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 962. Relating to Elmore County; providing for a special indexing fee on documents filed in the office of the judge of probate.

Also:

H. 971. Relating to Cleburne County, to provide that the probate judge shall be paid on a pro-rata basis out of the ad valorem tax proceeds collected each year into the county general fund, effective October 1, 1987; to create a special account in the general fund for such taxes collected, and to authorize the probate judge to attend professional conventions, workshops and other professional seminars or meetings and to become a member of professional organizations, all of which is to be paid from the funds remaining in said special account after the judge is compensated.

JOHN W. PEMBERTON,  
Clerk.



**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 445. NAMING THE NEW BRIDGES OVER THE CONE-CUH RIVER ON U.S. HIGHWAY 29 IN ESCAMBIA COUNTY, THE E. CRUM FOSHEE BRIDGES.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 742. To authorize the City of Tuscaloosa, Tuscaloosa County, Alabama, to establish an Enterprise Zone in the area of pervasive poverty, unemployment and economic distress and to carry out programs to encourage private investment and to create jobs in such areas, and to authorize agencies of such city, the county governing body and state and county agencies to carry out similar programs in such Enterprise Zone, including, but not limited to, reduction of tax rates, license rates and fees, improvement of public services and reduction and modification of regulatory requirements within such zone, and to provide other services and to modify other requirements as may be necessary or desirable to qualify for financial assistance to such city or private entities within such zone under any Act of the Congress of the United States heretofore or hereafter enacted.

Also:

H. 977. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Huntsville, in Madison County.

Also:

H. 999. Relating to Lauderdale County, to provide further for the compensation of the members of the county board of education, to provide retroactive effect and to repeal certain acts.

Also:

H. 1009. Relating to Marshall County; requiring all lodging facilities located in Lake Guntersville State Park to collect certain lodgings taxes as provided by law.

Also:

H. 1013. To fix the fee for the issuance of pistol permits in Marshall County and provide for the deposit of such fees in a fund known as the Sheriff's Law Enforcement Fund and provide for the use of such fund and an effective date.

Also:

H. 1016. Relating to Cullman County; providing for the county governing body to reimburse the offices of the revenue commissioner and the probate judge for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing that such funds shall be payable from the general fund of the county.

Also:

H. 1017. Relating to Marshall County; authorizing the Marshall County Commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and distribution of the proceeds therefor; providing for an advisory referendum on the issue of adding such additional county tax; prescribing misdemeanor penalties against those who violate the provisions of this act; and construing that the provisions of this act are cumulative.

Also:

H. 1088. Relating to Lowndes County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide for the distribution and the use of the funds derived therefrom; to authorize the Lowndes County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Lowndes County Commission for the collection of said taxes.

Also:

H. 1090. Relating to Lowndes County; authorizing the Lowndes County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1091. Relating to Lowndes County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to

provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 152. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board for Registration of Architects as provided in Section 34-2-38 specifically, and as provided in Sections 34-2-30 through 34-2-42 generally, of the Code of Alabama 1975, with certain modifications; to amend Sections 34-2-32, 34-2-33, 34-2-35, and 34-2-40, so as to provide further certain structures to which Article 2 of Title 34 does not apply; to provide further for the qualifications of applicants of the board and the fees and renewal fees of the board's licenses; to provide for the licensing of corporations and partnerships; to prohibit certain practices; and to provide further for meetings and officers of the board.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 184. To amend Sections 12-19-71, 12-19-72, 12-19-73, 12-19-74, 12-19-75, 12-19-171, 12-19-172, 12-19-173, 12-19-174, 12-19-175, 12-19-176, 12-19-178, 12-19-179 and 12-14-14, Code of Alabama 1975, to increase the fees and costs in circuit, district, and municipal courts; to further provide for the distribution of fees and costs in circuit, district and municipal courts so as to enhance that portion of the fees and costs that are distributed to the state general fund, to the various county general funds, and to municipalities; to further provide for the costs assessed in municipal courts; to

provide for the appropriation from the State General Fund of the increase in said fees and costs that are distributed to the State General Fund; to repeal all laws or parts of laws in conflict herewith; and to provide for the effective date of this Act.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1087. Relating to Sumter County; authorizing the Sumter County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1097. Relating to Henry County; providing for the appointment of the county superintendent of education, and providing for a referendum on the question of whether the electors of the county favor the appointment of the county superintendent of education.

Also:

H. 1099. Relating to Greene County; to levy an excise and privilege tax on the severance of clay, sand, gravel and minerals in said county; to provide for the collection, payment, and administration of such tax; and to provide for the disposition of the proceeds from such tax.

Also:

H. 1100. Relating to Greene County; authorizing the Greene County Commission to levy a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1101. Relating to Greene County; to levy an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline and motor fuel and substitutes therefor in said county at the rate of two (2) cents per gallon, effective August 1, 1987; to provide for the collection and payment of such tax and to provide

REGULAR SESSION  
28th Day

2023

for the distribution and the use of the funds derived therefrom; to authorize the Greene County Commission to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this act and to fix the penalty for the violation of any provision of this act and of the rules and regulations prescribed by the Greene County Commission for the collection of said taxes.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 481. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

Also:

H. 712. Relating to Walker County; amending Act No. 113, H. 69, 1965 First Special Session, which establishes a civil service system for the City of Jasper, so as to provide further for the compensation of members of the Civil Service Board.

Also:

H. 752. Relating to Blount County; To provide for a special recording fee of \$2.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Blount County; and to provide for the expenditure of the funds in the office of the judge of probate.

Also:

H. 783. Relating to Geneva County; to provide for the compensation of the revenue commissioner in said county, and to specifically repeal parts of Section 6, Act 651, Regular Session 1978 (Acts 1978, p. 923) in conflict herewith.

Also:

H. 798. Relating to Mobile County; providing that the county commission shall call for a public hearing to be held a certain time prior to approving any landfill project and dirt pits in said county and empowering the county commissioner representing the commission district in which such

proposed landfill and dirt pits are to be located with veto power over any commission decision approving such landfill project and dirt pits if such public hearing is not called as provided for in this act.

Also:

H. 856. Relating to Tallapoosa County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

Also:

H. 924. To provide that certain employees of Mobile County covered under the employees' retirement system who were employed by a municipality of Mobile County prior to the municipality's participation in the retirement systems shall be eligible under certain conditions to receive credit for the prior service as an employee of the municipality.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 318. To amend Sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, and 8-17-226, Code of Alabama 1975, which sections provide for the regulation of fireworks in Alabama, so as to provide further for such regulation.

Also:

S. 319. To amend Code of Alabama 1975, Section 12-17-224(a)(2) e.1.(ii) by redefining RESTITUTION to allow Worthless Check Units to collect the service charge of not more than \$10.00 authorized by Alabama Code Sections 13A-9-13.1 through 13A-9-13.3 for the holder of a worthless check.

Also:

S. 296. To provide that persons now employed by state junior colleges and Athens State College who were employed by said institutions prior to such time as said institutions became state supported, may purchase credit for up to five years for such service under the Teachers' Retirement System of Alabama.

**REGULAR SESSION**  
**28th Day**

2025

. Also:

S. 417. To amend Section 40-18-14, Code of Alabama 1975, which defines the term "gross income" for state income tax purposes, so as to provide further for said definition.

**JIM SMITH,**  
Chairperson.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

**ADJOURNMENT**

The hour of Midnight having arrived, in accordance with Resolution heretofore adopted, and pending further consideration of the Bill, H. B. 320, the Senate was declared adjourned until Friday, July 17, 1987, at 12:01 A.M.

## **TWENTY-NINTH LEGISLATIVE DAY**

**FRIDAY, JULY 17, 1987**

The Senate met pursuant to adjournment, Acting President and Presiding Officer Hand presiding.

### **PRAYER**

The Session was opened with prayer by the Reverend Jiles Williams, Jr., Pastor, New Providence Baptist Church, Montgomery, Alabama.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Miss Lisa Banton, Senate Staff, Montgomery, Alabama.

### **ROLL CALL**

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

—35

### **JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JIM SMITH,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Smith (J), the foregoing report was concurred in and the Journal of the Senate for the Twenty-Eighth Legislative Day was approved by the Senate.

### **RECESS**

At 12:05 A.M., on motion of Senator deGraffenried, the Senate took a recess until 1:05 A.M.



The recess period having expired, the Senate was called to order by President Pro Tempore deGraffenried.

### REPORT FROM RULES

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

#### H. J. R. 311. TO CONTINUE THE JOINT INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT.

On motion of Senator Langford, said Resolution was concurred in and adopted by the Senate.

### REPORTS OF COMMITTEES

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Burke (With Notice and Proof):

H. 949. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fort Payne, in DeKalb County.

By Rep. Burke (With Notice and Proof):

H. 948. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hammondville, in DeKalb County.

By Rep. Flowers (With Notice and Proof):

H. 853. Relating to Pike County; levying certain additional court costs and providing that the proceeds shall be utilized for the establishment of a legislative delegation office.

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Slaughter, Harper, and Campbell:

H. 746. To make legislative findings and declarations respecting problems encountered in the issuance of refunding obligations by the State of Alabama, the counties and municipalities therein and agencies and instrumentalities of any of the aforesaid governmental units; to provide that any of the aforesaid entities may sell refunding obligations by public or private sale, with or without competitive bidding; to specify the conditions under which obligations of any of the aforesaid entities shall not be considered to be outstanding for purposes of constitutional and statutory debt limitations as a result of one or more escrow funds having been established to provide for the payment thereof; to provide that refunding obligations satisfying certain conditions may be issued without restrictions as to rate or rates of interest or as to principal amount and to provide further that such refunding

obligations shall not constitute or create any debt in excess of the debt represented by the obligations refunded thereby within the meaning of certain constitutional and statutory provisions; to provide that warrants may be issued by any county or municipality to refund bonds issued by such county or municipality; to provide rules for the allocation of refunding obligations between obligations refunded thereby that are subject to any constitutional debt limitation and those that are not subject to such limitation; and to provide that the provisions of this act shall be severable.

By Reps. Slaughter, Harper, and Campbell:

H. 747. To propose a self-executing amendment to the Constitution of Alabama of 1901 which (i) will specify the conditions under which obligations of the State of Alabama, any municipality or county therein or any agency or instrumentality of the State of Alabama or any such municipality or county shall not be considered to be outstanding for purposes of constitutional and statutory debt limitations as a result of one or more escrow funds having been established to provide for the payment thereof, (ii) will provide that refunding obligations satisfying certain conditions may be issued without restriction as to rate or rates of interest or as to principal amount and will further provide that such refunding obligations shall not constitute or create any debt in excess of the debt represented by the obligations refunded thereby within the meaning of certain constitutional and statutory provisions, (iii) will provide that warrants may be issued by any county or municipality to refund bonds issued by such county or municipality, (iv) will confirm and validate the power previously exercised by any county or municipality to incur debt evidenced by warrants without an election of the voters of such county or municipality, and (v) will provide rules for the allocation of refunding obligations between obligations refunded thereby that are subject to any constitutional debt limitation and those that are not subject to such limitation.

The above Bill was read a second time at length as required by the Constitution.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Brooks, Knight, Freeman, Wright, Box, Hooper, Johnson (RW), and Butler:

H. 774. To propose that, in election contests, any party or candidate involved in the contest is entitled to make an examination of the ballots cast, given or rejected in the election provides the procedures for examination of the ballots cast, given or rejected.

By Reps. Butler, Hamilton, Burke, Carter, and Hall:

H. 415. To provide further for the mode of consolidation of contiguous municipalities; prescribes the procedure when two or more municipalities lying contiguous to each other desire to consolidate and operate as one municipality; and repeals Section 11-42-100, Code of Alabama 1975, which relates to said procedure.

By Rep. Frazier:

H. 402. To amend Section 11-85-73, Code of Alabama 1975, relating to regional planning commissions and other entities and their authority to

**REGULAR SESSION**  
**29th Day**

2029

enter into contracts with other agencies, so as to designate further additional corporations which are within the purview of this statute; and to provide an effective date for this act.

By Rep. Reed:

H. 403. To provide that the annual state salary payable to circuit clerks and registers, effective January 16, 1989, shall be \$40,000 and to provide that such increase shall in no event cause a register's state salary to exceed \$40,000.

By Rep. Junkins:

H. 93. To provide that a retired state policeman may accept employment with another state, city or county agency and continue to receive his retirement benefits but shall not receive additional retirement benefits for his new employment even though he contributes to the retirement systems.

By Rep. Box:

H. 842. To amend Section 11-3-11(a)(15) of Code of Alabama 1975 in order to authorize and empower the County Commission of any County to require property owners to connect with a sanitary sewer system operated by said County any facilities for the collection or disposal of sewage; to charge the owners of affected property for the costs of such connection; and to create a lien against such affected property for the enforcement of the payment of such costs.

By Rep. Zoghby:

H. 127. To authorize the governing body of any municipality, or any municipality or municipalities to establish historic preservation commissions and architectural review boards in order to preserve and protect buildings, sites, structures, areas and districts of historic significance, architectural, archaeological and aesthetic heritage in the state, and to promote these attractions to tourists and visitors; to provide for the membership, the qualifications and terms, the powers, duties, and appointments to such commissions and boards; to prescribe that certain reporting shall be made to the Alabama Historical Commission and to the local governing bodies; to provide for the reimbursement of expenses of members, the rules of procedures for operations, and notice of meetings; to provide that each commission shall constitute a non-profit governmental agency whose funds shall be used exclusively for public purposes; to prescribe that certain restrictions shall be placed on designated properties, and provide exceptions thereto; to provide for appeals and other judicial processes; to preserve certain existing historic development commissions or architectural review boards; to authorize these to be certified with local government status or to assume the powers of this act pursuant to proper ordinance; to provide for exceptions to certain highways, roads, streets, utility structures or facilities or bridges, including the properties utilized in connection therewith, and to provide for exceptions to certain highways, roads, streets, utility structures or facilities or bridges; and to provide that the provisions of this act are cumulative.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. White (L), Beasley, Johnson (RG), Butler, and Mikell:

H. 793. To establish the Alabama Impaired Professionals' Committee; to provide that the State Board of Dental Examiners and the Board of

Pharmacy shall have certain duties and obligations to promote early identification, intervention, treatment and rehabilitation of the professional within their jurisdictions and impaired by reason of illness, inebriation, excessive use of certain drugs, and controlled substances, alcohol, chemicals or other dependent forming substances, or as a result of physical or mental condition; to define the term impaired; to authorize the State Board of Dental Examiners and the Board of Pharmacy to contract with any non-profit corporation for the creation of the Alabama Impaired Professionals' Committee; to provide for the functions and responsibilities of the committee under a contract between the State Board of Dental Examiners and the Board of Pharmacy and a non-profit corporation or health provider professional association; to prescribe procedures for the reporting of information from the Alabama Impaired Professionals' Committee to the respective boards; to prescribe that a professional serving as a member of the Alabama Impaired Professionals' Committee shall not be liable to any person for any claim for damages as a result of any decision, opinion, investigation or action taken as a member of such committee; to provide that a non-profit corporation or medical or health provider professional association shall not be liable to any person for damages for any action taken by the Alabama Impaired Professionals' Committee or any member thereof; to provide that all information, interviews, reports, statements, memorandum or other documents furnished to or produced by the Alabama Impaired Professionals' Committee and any findings, conclusions, recommendations or reports of such committee shall be privileged and confidential and shall not be considered public records nor available for court subpoena or for discovery proceedings; to provide that the Alabama Impaired Professionals' Committee shall render annual reports to the respective state boards and shall report to the respective professional body any professional, within their respective jurisdiction, currently in the need of intervention, treatment, or rehabilitation who has failed or refused participation in programs of treatment or rehabilitation recommended by the committee; to provide that a report to the Alabama Impaired Professionals' Committee shall deem to be a report to the said boards, for the purpose of any mandated reporting of professional impairment otherwise provided for by law; to provide that where the said boards have cause to believe a dentist or pharmacist is impaired the board may cause an evaluation of such impaired professional to be conducted by the Alabama Impaired Professionals' Committee; to provide for the severability of the provisions of this act; to provide for cumulative effect; to provide for the repeal of all laws in conflict with this act; and to provide an effective date for this act.

By Reps. Johnson (RG), White (L), and Beasley:

H. 973. Relating to health care authorities organized or reincorporated pursuant to the provisions of Act No. 82-418 enacted at the 1982 Regular Session of the Legislature (article 11 of chapter 21 of Title 22 of the Code of Alabama 1975, as amended); to make certain findings with respect to such health care authorities; to grant to any such health care authority the limited power to amend its certificate of incorporation or certificate of reincorporation (without the necessity of any approvals or consents, other than that of its board of directors, that would otherwise be required) so as to provide that any of the members of its board of directors required to be elected or appointed by the governing body of any county or municipality that authorized the organization or reincorporation of such health care authority shall be elected only from a list of nominees (not less than three in number) proposed by its board of directors; to grant to any such health care authority the additional power to issue (and provide security for) bonds, notes, and other obligations and securities that are not limited as to source

of payment and that are general obligations of such health care authority; to make further provision with respect to the furnishing by a health care authority of office space to nonhospital-based physicians, dentists or other health care professionals; and to provide further for investments of proceeds from the sale of securities and other moneys of a health care authority.

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 1134. To make an appropriation from the Alabama Special Educational Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1143. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1987-88 and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Johnson (RG):

H. 1077. To amend Section 5-19-20, Code of Alabama 1975, relating to consumer financial transactions and to insurance offered by creditors, so as to allow creditors to offer involuntary unemployment compensation insurance to its debtors.

By Rep. Jenkins:

H. 94. Relating to employees of the State of Alabama, to provide that the spouse and children of any such employee who is killed in the line of duty shall receive the same preference points for purposes for state employment as are awarded to honorably discharged veterans of the United States armed services.

By Reps. Buskey (JL), Rogers, Thomas, and Black:

H. 873. Authorizing certain institutions of higher learning to condemn lands needed for their educational purposes and providing that this act shall have certain supplemental effect.

By Reps. Penry, Drake, McClain, Layson, Harvey, Carter, Butler, Adams, Campbell, Laird, Richardson, Newman, Grouby, Zoghby, Clark (W), McMillan, Blake, Turner, Davis, Buskey (JL), Gaston, Clark (J), Hettinger, Moon, White (L), Higginbotham, Hogan, Marks, Williams, Venable, Kennedy, Seibels, Breedlove, Johnson (RW), Rains, Bowling, Gray, Starkey, Newton, Wright, Petelos, Perdue, Grayson, Hill, Hooper, Curry, Knight, Freeman, Hall, Harper, Blakeney, Bryant, Black, Thomas, Johnson (RG), Beasley, Carothers, Haynes, Holley, Frazier, Willis, Walker, Mikell, and Kvalheim:

H. 779. To amend Section 12-21-131, Code of Alabama 1975, which relates to interpreters for judicial proceedings for persons defective in speech and/or hearing, so as to provide further for such interpreters.

By Rep. Williams:

H. 902. To provide further for the compensation and expense allowances of the Secretary of State and State Auditor.

By Rep. Turnham:

H. 1007. To amend Sections 11-54A-1, 11-54A-2 and 11-54A-9 of the Code of Alabama 1975 to permit Downtown Redevelopment Authorities to undertake projects for use by governmental entities, subdivisions, agencies, boards and institutions, by public corporations, institutions, agencies and boards, and by organizations, corporations, institutions and entities organized and operated for educational or charitable purposes at any location within the boundaries of the city which authorizes the incorporation of any Downtown Redevelopment Authority.

### RECESS

At 2:12 A.M., on motion of Senator Parsons, the Senate took a recess until 10 o'clock this morning.

Yeas 23; Nays 11.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Barron	Denton	Goodwin	Menton	
Bedsole	Dial	Hale	Mitchem	
Bishop	Dixon	Hand	Parsons	
Cabaniss	Ellis	Horn	Rice	
Corbett	Figures	Langford	Sanders	—23

*Nays:*

Senators:	Bedford	deGraffenried	Preuitt	
Amari	Bennett	Drinkard	Smith (B)	
Bailey	Campbell	Holmes	Smith (J)	—11

The recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

### UNFINISHED BUSINESS

#### BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 320. To require the state board of education to adopt standards for local public school systems in the management and supervision of the program areas of finance and student achievement and to ensure that standard accountability as reflected through performance levels specified by the state board of education and verified through monitoring activities including on site visitation and audits of reports submitted by local public school systems; and to provide for intervention to limit and/or supersede local board of education and local superintendent authority when standards are not being met as final assurance of compliance.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 320, was postponed temporarily.

**SPECIAL ORDER**

The Senate then proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 319. Proposing an amendment to the Constitution of Alabama of 1901, authorizing city and county school boards to levy and collect additional sales and use taxes which parallel the state sales and use taxes including exemptions, occupation taxes or ad valorem taxes for local school purposes if approved by the qualified electors of the city or county.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 319, was postponed temporarily.

**THE BILL:**

H. 318. Relating to city and county boards of education; authorizing such boards to call a referendum on the question of levying additional sales and use taxes which parallel the state sales and use taxes including exemptions, occupation taxes or ad valorem taxes to be used for local school purposes pursuant to the ratification of an amendment to the Constitution authorizing same; providing the procedure for any referendums hereunder; and authorizing the levy and collection of any such tax approved by the voters.

was taken up.

On motion of Senator deGraffenried, further consideration of the Bill, H. B. 318, was postponed temporarily.

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., H. B. 371, adopted.

Yeas 17; Nays 1.

**Yeas:**

Senators:	deGraffenried	Ellis	Langford
Bailey	Denton	Foshee	Manley
Bedsole	Dial	Hale	Preuitt
Bennett	Dixon	Holmes	Smith (J)
Cabaniss	Drinkard		

—17

Nay: Senator Corbett —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 371. To provide longevity pay for certain employees of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Manley	
Amari	deGraffenried	Foshee	Mitchem	
Bailey	Denton	Hale	Parsons	
Bedsole	Dial	Holmes	Preuitt	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Drinkard	Langford	Smith (J)	—23

Nays: —0

Senator Smith (J) moved that the Senate reconsider the vote by which the Bill, H. B. 371, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### FURTHER CONSIDERATION OF HOUSE AND CONFERENCE MESSAGE FOR H. B. 535

The Senate proceeded to further consideration of the House and Conference Message for the Bill:

H. 535. To amend Section 6-5-481 of the Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act so as to provide further for the definition of the terms "Other Health Care Providers" and "Professional Corporation."

which said Conference Committee Report is set out and postponed on the Twenty-Second Legislative Day. The question was on the substitute motion of Senator Amari that the Senate non-concur in the Conference Committee report.

On motion of Senator Foshee, the Senate non-concurred in the Report of the Committee on Conference, and requested that the present Conference Committee be discharged and a new Conference Committee appointed.

Yeas 22; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Mitchem	
Amari	deGraffenried	Foshee	Preuitt	
Bailey	Denton	Hale	Sanders	
Bedsole	Dial	Horn	Smith (B)	
Bennett	Dixon	Langford	Smith (J)	
Cabaniss	Drinkard	Manley		—22

Nays: —0

And the President and Presiding Officer of the Senate appointed as new Conferees on part of the Senate Senators Foshee, Manley, and Preuitt.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 209. To amend Section 40-17-31(a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline



REGULAR SESSION  
29th Day

2035

and lubricating oil by city and county boards of education, private and parochial schools, the Alabama Institute for Deaf and Blind, Department of Youth Services School District and all other public institutions of higher learning shall be exempt from taxation under the levy provided for in Section 40-17-31 (a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975.

said Governor's Message being in words and figures as follows, to-wit:

**MESSAGE FROM THE GOVERNOR**

To The House of Representatives of Alabama  
Alabama State House  
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Bill No. 209, without the Governor's signature and with a suggested Executive Amendment.

Respectfully submitted,

JOHN E. GRENIER,  
Executive Secretary.

DONE this 2nd day of July, 1987.

**MESSAGE FROM THE GOVERNOR**

To The House of Representatives of Alabama  
Alabama State House  
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 209, without my approval and with the following suggested Executive Amendment:

**EXECUTIVE AMENDMENT TO HOUSE BILL NO. 209:**

On page 1, line 28, delete the word "parochial" and insert in lieu thereof the word "church"; further, insert between the word "schools" and the semicolon, the following language:

as defined in Section 16-28-1, Code of Alabama 1975, and which offer essentially the same curriculum as offered in grades K-12 in the public schools of this state

On page 2, line 26, delete the word "parochial" and insert in lieu thereof the word "church"; further, insert between the word "schools" and the semicolon, the following language:

as defined in Section 16-28-1, Code of Alabama 1975, and which offer essentially the same curriculum as offered in grades K-12 in the public schools of this state

On page 5, line 6, delete the word "parochial" and insert in lieu thereof the word "church"; further, insert between the word "systems" and the period, the following language:

as defined in Section 16-28-1, Code of Alabama 1975, and which offer essentially the same curriculum as offered in grades K-12 in the public schools of this state

The adoption of the above suggested Executive Amendment will remove my objections to this Bill.

DONE on this the 2nd day of July, 1987.

Respectfully,

GUY HUNT,  
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 209, by a vote of a majority of those voting, said vote being:

Yeas 63, Nays 1.

And said Bill, H. B. 209, together with the Executive amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE AND GOVERNOR'S MESSAGE

On motion of Senator Manley, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 209, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Manley
Amari	Corbett	Ellis	Mitchem
Bailey	deGraffenried	Foshee	Preuitt
Bedford	Denton	Horn	Sanders
Bennett	Dial	Langford	Smith (B)
Cabaniss	Dixon		

—21

Nays:

—0

which was a majority of the whole number elected to the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Freeman:

H. J. R. 438. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY METROPOLITAN-GOVERNMENT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Legislative Interim Committee to Study Metropolitan-Government. Said committee shall be composed of eight members who shall be appointed from the Legislature. The Speaker of the House shall appoint four members and the Lieutenant Governor shall appoint four members from the House and Senate respectively. The committee shall meet as soon after their appointment as practical and choose one of their members as chairman and another as vice chairman.

The committee shall study all facets of Metropolitan-Government including but not limited to the constitutional and statutory authority to authorize the merger of a county and an incorporated municipality or municipalities therein into a single entity, the functions and responsibilities in providing services and facilities to both urban and rural citizens, the financial and fiscal impact, the political, corporate and economic functions of such government, and the operation of such government where it exists in other states by visiting such states.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the Legislature not later than the tenth legislative day of each regular session remaining in the current term of the Legislature. The committee shall terminate at the expiration of the current term of the Legislature. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$4,000.00 per year.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Smith (B), the Rules were suspended and the Resolution, H. J. R. 438, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 284. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for

appointment of department heads from seven qualified candidates unless the appointing authority shall request the three ranking eligibles only.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Bennett, the Senate non-concurred in the following House amendment to the Bill, S. B. 284, the title of which is set out in the foregoing Message from the House, to-wit:

### AMENDMENT TO S. B. 284

Amend S. B. 284 on page 1 in the Title, line 21 by striking after the word "from" the following: ~~seven~~ and inserting in lieu thereof, the following: five

Further amend S. B. 284 on page 2, Section 1, line 14 by striking after the word "of" on line 13 the following: ~~seven~~ on line 14 and inserting in lieu thereof, the following: five

Further amend S. B. 284 on page 6, Section 2, line 3 by striking after the word "of" on line 2 the following: ~~seven~~ on line 3 and inserting in lieu thereof the following: five

and requested a Committee on conference.

Yeas 17; Nays 1.

Yeas:

Senators:	Cabaniss	Foshee	Mitchem	
Amari	Corbett	Goodwin	Preuitt	
Bailey	Denton	Horn	Sanders	
Bedford	Dial	Manley	Smith (B)	
Bennett	Drinkard			—17

Nay: Senator Ellis —1

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Senators Bennett, Hilliard, and Horn.

### BUDGET ISOLATION RESOLUTION

Senator Ellis, B. I. R., H. B. 288, adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Manley	
Bailey	Denton	Goodwin	Mitchem	
Bedford	Dial	Hale	Preuitt	
Bennett	Drinkard	Horn	Sanders	
Cabaniss	Ellis	Langford	Smith (B)	
Corbett				—20

Nays: —0

REGULAR SESSION  
29th Day

2039

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 288. To exempt the King's Ranch, Inc., from the payment of all state, county and municipal sales and use taxes.

was read a third time at length and passed.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley	
Amari	deGraffenried	Goodwin	Mitchem	
Bailey	Denton	Hale	Parsons	
Bedford	Dial	Holmes	Preuitt	
Bennett	Drinkard	Horn	Sanders	
Cabaniss	Ellis	Langford	Smith (B)	—23

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., H. B. 840, adopted.

Yeas 17; Nays 3.

*Yeas:*

Senators:	Denton	Holmes	Mitchem	
Bailey	Drinkard	Langford	Preuitt	
Bedsole	Foshee	Manley	Sanders	
Bennett	Goodwin	Menton	Smith (B)	
deGraffenried	Hale			—17

*Nays:*

Senators:	Amari	Corbett	Parsons	—3
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**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 840. To provide for referendums to authorize Class 5 municipalities to construct hydroelectric generating facilities.

was read a third time at length and passed.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Manley	
Amari	deGraffenried	Goodwin	Menton	
Bailey	Dial	Hale	Mitchem	
Bedford	Dixon	Holmes	Preuitt	
Bedsole	Drinkard	Horn	Sanders	
Bennett	Ellis	Langford	Smith (B)	—23

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 792, adopted.

Yeas 19; Nays 2.

*Yeas:*

Senators:	deGraffenried	Ellis	Manley	
Bedford	Denton	Foshee	Menton	
Bedsole	Dial	Goodwin	Mitchem	
Bennett	Dixon	Hale	Preuitt	
Cabaniss	Drinkard	Holmes	Smith (B)	—19

*Nays:*

Senators:	Amari	Corbett	—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 792. To amend Section 41-9-201(a), Code of Alabama 1975, which establishes the office of the Director of Development, so as to establish qualifications of office of Director of Development and provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$25,742.00 the highest authorized salary for employees of the Alabama Development Office who are subject to the provisions of the merit system law.

was taken up.

On motion of Senator Foshee, further consideration of the Bill, H. B. 792, was postponed temporarily.

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B. I. R., H. B. 837, adopted.

Yeas 18; Nays 2.

*Yeas:*

Senators:	Denton	Goodwin	Menton	
Bedsole	Dial	Hale	Mitchem	
Bennett	Dixon	Holmes	Preuitt	
Cabaniss	Drinkard	Horn	Smith (B)	
deGraffenried	Foshee	Manley		—18

*Nays:*

Senators:	Amari	Corbett	—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 837. To provide that the first \$9,500,000 of the net amount of all taxes required to be deposited to or certified in the state treasury to the credit of the state general fund pursuant to Section 40-20-8, Code of Alabama 1975, as amended, in each fiscal year beginning with the fiscal year commencing on October 1, 1987, shall be credited to an account to be known

as the Alabama State Docks Facilities Contingency Trust Fund and created hereby; to provide that there shall be appropriated and paid to the Alabama State Docks Department, under certain circumstances, all or a portion of all funds deposited to that account based on the expected deficiency anticipated to be incurred by the Department in payment of (1) expenses anticipated to be incurred in operating and maintaining the Department's coal handling and other facilities and (2) principal and interest coming due during the then current fiscal year on certain bonds of the state and of the Department; to provide that within forty-five days after the close of the third quarter of a fiscal year any moneys then contained in and as shall during the remainder of the fourth quarter of the fiscal year be deposited to the credit of the account established hereby in excess of the amount anticipated to be needed during the fourth quarter to satisfy any expected deficiency in the Department's operations as defined herein shall be transferred out of Alabama State Docks Facility Contingency Trust Fund and deposited to the general fund; to provide that amounts transferred pursuant to this Act may be used for any lawful purpose except to pay principal of or interest on any obligations issued by the Alabama State Docks Department; to provide that this Act shall not constitute a contract between the State or the Alabama State Docks Department and the holders of any obligations issued by the Alabama State Docks Department; to provide that amounts transferred pursuant to this Act constitute mere voluntary payments by the State to or in aid of the Alabama State Docks Department; to repeal all laws or parts of laws in conflict with the provisions of this Act; to provide that the provisions of this Act are severable; and to provide for an effective date.

was read a third time at length and passed.

Yeas 19; Nays 1.

Yeas:

Senators:	Denton	Foshee	Manley	
Amari	Dial	Goodwin	Menton	
Bedsole	Dixon	Hale	Mitchem	
Cabaniss	Drinkard	Hand	Preuitt	
deGraffenried	Ellis	Holmes	Smith (B)	—19

Nay: Senator Corbett —1

## BUDGET ISOLATION RESOLUTION

Senator Manley, B. I. R., H. B. 542, adopted.

Yeas 17; Nays 2.

Yeas:

Senators:	Dial	Goodwin	Mitchem
Bedsole	Dixon	Hale	Preuitt
Bennett	Drinkard	Manley	Sanders
Cabaniss	Ellis	Menton	Smith (B)
Denton	Foshee		

—17

Nays:

Senators:

Amari

Corbett

—2

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 542. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$6,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including (a) the power to make grants from the proceeds of the said additional bonds to counties, municipalities and local industrial development boards, economic development councils and airport authorities, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide for the execution, form and terms of such bonds and for the terms of sale thereof; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Sections 40-25-2 and 40-25-23, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the state treasurer shall be the custodian of the funds of the Authority.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Senators:  
Amari  
Bedsole  
Bennett  
Cabaniss  
Corbett

Covington  
deGraffenried  
Dial  
Dixon  
Drinkard  
Ellis

Foshee  
Goodwin  
Hale  
Hand  
Holmes  
Langford

Manley  
Menton  
Mitchem  
Preuitt  
Smith (B)

—22

Nays:

—0

**BUDGET ISOLATION RESOLUTION**

Senator deGraffenried, B. I. R., H. B. 321, adopted.



REGULAR SESSION  
29th Day

2043

Yeas 21; Nays 2.

Yeas:

Senators:	Denton	Hale	Menton
Bailey	Dial	Hand	Mitchem
Bedsole	Drinkard	Holmes	Preuitt
Bennett	Ellis	Langford	Sanders
Cabaniss	Foshee	Manley	Smith (B)
deGraffenried	Goodwin		

—21

Nays:

Senators:	Amari	Corbett
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—2

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 321. To clarify and extend the authority of city and county boards of education to manage the public schools over which they have legal responsibility.

was taken up.

Senator deGraffenried offered the following substitute for the Bill, H. B. 321, to-wit:

**SUBSTITUTE FOR H. B. 321**

**A BILL  
TO BE ENTITLED  
AN ACT**

To clarify and extend the authority of city and county boards of education to manage the public schools over which they have legal responsibility.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. In addition to all authority previously granted by statute, city and county boards of education may enter into cooperative agreements, projects, and programs with the city council or commission or the county commission respectively, and may take such other actions as they deem necessary and appropriate for the proper management of the public schools; provided, however, that such agreements, projects, and programs shall not be in conflict with nor inconsistent with any law or policy of the State Board of Education and shall not conflict with the purposes for which the school system is established. Provided, further, that such authority shall not be used to deny any employee any legal or constitutional rights to which he or she is entitled, nor shall such authority be used in such a way that employees are denied any benefits established and required by law, nor shall such authority be construed as authorizing city and county boards of education to levy any taxes not otherwise authorized by law.

Section 2. All laws or parts of laws which conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval of the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 19; Nays 2.

Yeas:

Senators:	Covington	Ellis	Menton	
Amari	deGraffenried	Goodwin	Mitchem	
Bailey	Dial	Hale	Preuitt	
Bedsole	Dixon	Hand	Sanders	
Cabaniss	Drinkard	Manley	Smith (B)	—19

Nays:

Senators:	Denton	Holmes		—2
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And said Bill, H. B. 321, as thus amended by the substitute, was read a third time at length and passed.

Yeas 20; Nays 3.

Yeas:

Senators:	Dial	Hale	Mitchem	
Bedsole	Drinkard	Hand	Preuitt	
Cabaniss	Ellis	Holmes	Rice	
Corbett	Foshee	Manley	Sanders	
Covington	Goodwin	Menton	Smith (B)	—20
deGraffenried				

Nays:

Senators:	Bailey	Denton	Dixon	—3
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**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 474. RELATIVE TO MEETING DAYS.

JOHN W. PEMBERTON,  
Clerk.**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1006. Relating to Mobile County; directing and requiring the county governing body to provide for holding an advisory election relative to the

REGULAR SESSION  
29th Day

2045

question of alternative methods of levying additional county taxes to raise revenue for the Mobile County school board for purposes of public education.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., H. B. 541, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Menton
Bailey	Denton	Goodwin	Mitchem
Bedford	Dial	Hale	Preuitt
Bedsole	Dixon	Hand	Rice
Bennett	Drinkard	Manley	Smith (B)
Cabaniss			

—20

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 541. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$6,000,000 in aggregate principal amount.

was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Menton
Bailey	Denton	Hale	Mitchem
Bedford	Dial	Hand	Preuitt
Bedsole	Drinkard	Holmes	Rice
Cabaniss	Ellis	Manley	Smith (B)
Corbett	Foshee		

—21

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., H. B. 570, adopted.

Yeas 21; Nays 1.

Yeas:

Senators:	deGraffenried	Goodwin	Menton	
Bailey	Dial	Hand	Mitchem	
Bedsole	Dixon	Holmes	Rice	
Bennett	Drinkard	Horn	Sanders	
Cabaniss	Ellis	Manley	Smith (B)	
Covington	Figures			—21

Nay: Senator Parsons

—1

## BILLS ON THIRD READING RESUMED

## THE BILL:

H. 570. To authorize each municipality in this State to donate certain real property (whether acquired prior to or subsequent to the enactment hereof) to the United States of America for use by the said United States for defense and related purposes, to authorize each such municipality to issue its bonds, warrants or the evidences of indebtedness for the purpose of providing funds to purchase such real property and to authorize each such municipality to convey such real property to a "related public corporation" under Chapter 63 of Title 11 of the Code of Alabama of 1975 for the purpose of enabling such public corporation to donate the said real property to the United States.

was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Senators:	deGraffenried	Hale	Menton	
Bailey	Dial	Hand	Mitchem	
Bedford	Drinkard	Holmes	Parsons	
Bedsole	Ellis	Horn	Rice	
Corbett	Figures	Langford	Sanders	
Covington	Goodwin	Manley	Smith (B)	—23

Nays:

—0

## BUDGET ISOLATION RESOLUTION

Senator Mitchem, B. I. R., H. B. 796, adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Covington	Ellis	Manley	
Bedford	deGraffenried	Hale	Menton	
Bedsole	Dial	Hand	Mitchem	
Bishop	Dixon	Holmes	Preuitt	
Cabaniss	Drinkard	Langford	Smith (B)	—19

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 796. To amend Section 24-1A-9 Code of Alabama 1975, relating to the limitation on issuance of bonds by the Alabama Housing Finance Authority, was taken up.

The Standing Committee on Governmental Affairs reported the following substitute for the Bill, H. B. 796, to-wit:

**SUBSTITUTE FOR H. B. 796**

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend portions of Section 24-1A-1 of the Code of Alabama 1975, relating to the legislative findings and declaration of purpose underlying Chapter 1A of Title 24 of the Code of Alabama 1975; to amend the definition of "eligible housing unit" appearing in Section 24-1A-2(5) of the Code of Alabama 1975, so as to provide that eligible housing units may include multi-family dwelling units for occupancy by persons and families without restriction as to their income, other than applicable federal restrictions; and to amend Section 24-1A-9 of the Code of Alabama 1975, so as to provide further for the limitation on issuance of certain bonds by the Alabama Housing Finance Authority.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Section 24-1A-1 of the Code of Alabama, 1975, is hereby amended to read as follows:

**"§24-1A-1.**

"(a) It is hereby found and declared that from time to time there has existed and at the present time there exists an inadequate supply of funds at interest rates sufficiently low to enable the financing of safe and sanitary ~~single and multi-family dwelling units for citizens of this state and single family dwelling units for citizens of this state with low and moderate income;~~ that the inability to finance such single and multi-family dwelling units results in an inability of builders to construct such housing causing unemployment or underemployment in the housing construction and related businesses and causes a lack of safe and sanitary housing to be available to ~~persons of low and moderate income;~~ the citizens of this state; that such unemployment or underemployment in the housing construction and related businesses and an inadequate supply of safe and sanitary housing ~~for persons of low and moderate income~~ wastes human resources, increases the public assistance burden of the state, impairs the security of family life, impedes the economic and physical development of the state, adversely affects the welfare and prosperity of all of the people of the state and accordingly creates and fosters conditions adverse to the general health and welfare of the citizens of the state, that the making available in the manner provided in this chapter of a more adequate supply of funds at interest rates sufficiently low to enable the financing of safe and sanitary ~~single and multi-family dwelling units for citizens of this state and single family dwelling units for~~ citizens of low and moderate income will result in the alleviation or reduction of the adverse consequences which have resulted and may result from continued unemployment and underemployment in the housing construction and

related businesses and the inadequate supply of such housing for such persons. ~~of low and moderate income.~~

“(b) It is hereby further found and determined that the conditions adverse to the general health and welfare of the citizens of the state as noted in subsection (a) of this section can best be solved by a cooperative effort as provided in this chapter between the authority acting on behalf of the state and those engaged in the business of making mortgage loans and such is the purpose of this chapter and it is not the intent of the legislature that the authority have the power to make direct loans to individuals or to acquire or construct housing units for lease or sale or that the authority have urban development or slum clearance functions, although its functions under this chapter are expected to be complementary to and supportive of those functions.”

Section 2. Section 24-1A-2 of the Code of Alabama, 1975, is hereby amended to read as follows:

“§24-1A-2.

“The following words and phrases used in this chapter, and others evidently intended as the equivalent thereof, shall, in the absence of clear implication otherwise, have the following respective meanings:

“(1) **AUTHORITY.** The public corporation and instrumentality of the state organized pursuant to the provisions of this chapter.

“(2) **AUTHORIZED INVESTMENTS.** Bonds or other obligations of, or guaranteed by, the United States of America or the state; interest bearing bank and savings and loan association deposits; obligations of any agency of the United States of America; any obligations in which a state chartered savings and loan association may invest its funds; any agreement to repurchase any of the foregoing; or any combination thereof.

“(3) **BOARD OF DIRECTORS.** The board of directors of the authority.

“(4) **BONDS.** Bonds or other securities representing an obligation to pay money.

“(5) **ELIGIBLE HOUSING UNIT.** Real and personal properties located in the state constituting a single ~~or multi-family dwelling unit~~ for occupancy by low and moderate income families or a multi-family dwelling unit for occupancy by any persons and families without restriction as to the income of such persons or families other than any applicable federal restrictions imposed upon multi-family dwelling units financed from the proceeds of bonds the interest on which is exempt from federal income taxes.

“(6) **LOW AND MODERATE INCOME FAMILIES.** Persons and families of one or more persons, irrespective of race, creed, national origin or sex, determined by the authority to require such assistance as is made available by this chapter on account of insufficient personal or family income taking into consideration, without limitation, such factors as follows:

“a. The amount of the total income of such persons and families available for housing needs;

“b. The size of the family;

“c. The cost and condition of housing facilities available;

"d. The ability of such persons and families to compete successfully in the normal private housing market and to pay the amounts at which private enterprise is providing sanitary, decent and safe housing; and

"e. If appropriate, standards established for various federal programs with respect to housing determining eligibility based on income of such persons and families.

"(7) MORTGAGE LENDERS. National banking associations, banks chartered under the laws of the state, savings or building and loan associations chartered under the laws of the state or of the United States of America, Federal National Mortgage Association approved mortgage bankers and federal or state credit unions. The term shall also include other financial institutions or governmental agencies which customarily originate or service mortgage loans and mortgages.

"(8) MORTGAGE LOANS. Notes and other evidences of indebtedness secured by mortgages.

"(9) MORTGAGED PROPERTY. All properties, real, personal and mixed, and all interests therein including grants or subsidies with respect thereto, mortgaged, pledged or otherwise provided in any manner as security for (1) mortgage loans or (2) loans to mortgage lenders.

"(10) MORTGAGES. Mortgages, deeds of trust and other instruments granting security interests in real and personal properties constituting eligible housing units.

"(11) MULTI-FAMILY MORTGAGE LOANS. Mortgages on eligible housing units constituting residential dwelling units leased to or occupied by more than one family unit.

"(12) SINGLE FAMILY MORTGAGE LOANS. Mortgages on eligible housing units constituting residential dwelling units occupied as the principal residence of the owner-mortgagor by a single-family unit, including, without limitation, detached single family houses, attached single family houses or townhouses and condominium units within larger structures.

"(13) STATE. The state of Alabama."

Section 3. Section 24-1A-9 of the Code of Alabama 1975, is hereby amended to read as follows:

"§24-1A-9.

"Notwithstanding any other provision of this chapter to the contrary, the authority shall not issue any bonds, other than refunding bonds, subsequent to December 31, 1987 1990."

Section 4. The provisions of this act are severable. If any portion of this act is declared invalid or unconstitutional, such declaration shall not affect the validity of the portions which remain.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Holmes	
Bedford	Covington	Figures	Langford	
Bedsole	Dial	Foshee	Menton	
Bishop	Dixon	Hale	Mitchem	
Cabaniss	Drinkard	Hand	Smith (B)	—19

Nays: —0

And said Bill, H. B. 796, as thus amended by the substitute, was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Langford	
Bedford	Dial	Hale	Menton	
Bishop	Dixon	Hand	Mitchem	
Cabaniss	Drinkard	Holmes	Sanders	
Covington	Ellis	Horn	Smith (B)	
deGraffenried	Figures			—21

Nays: —0

**RECESS**

At 11:55 A.M., on motion of Senator deGraffenried, the Senate took a recess until 1:30 this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

**BUDGET ISOLATION RESOLUTION**

Senator Drinkard, B. I. R., H. B. 143, adopted.

Yeas 16; Nays 2.

Yeas:

Senators:	Drinkard	Goodwin	Manley	
Bedford	Ellis	Hale	Preuitt	
Bedsole	Figures	Hand	Smith (B)	
Campbell	Foshee	Langford	Smith (J)	
Denton				—16

Nays:

Senators:	Corbett	Parsons	—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 143. To further amend Section 25-5-9, Code of Alabama 1975, as amended, relating to industrial relations and labor, and employers' liabilities for qualifying as self-insurers, so as to provide further therefor, to permit pooling liabilities for reinsurance purposes.



REGULAR SESSION  
29th Day

2051

was read a third time at length and passed.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Denton	Foshee	Parsons
Bedford	Dial	Goodwin	Preuitt
Bedsole	Dixon	Hale	Rice
Cabaniss	Drinkard	Hand	Sanders
Campbell	Ellis	Langford	Smith (B)
Corbett	Figures	Menton	Smith (J)

—23

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 430. To amend further Section 10 of Act No. 497, Regular Session of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, relating to a pension system for officers and employees of Jefferson County, Alabama, so as to increase the benefit formula rate and to provide further for the retirement of certain members of the pension system.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 56. Relating to controlled substances; prescribing certain additional penalties for any person convicted of an unlawful sale of a controlled substance on the campus or within a certain radius of the campus boundaries of any private or public school, college, university or other educational institution in this state.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 61. To amend Code of Alabama 1975, §15-5-8 to provide that a search warrant in a case in which the property to be seized includes a controlled substance may be served at night as well as during the day even if the affidavits supporting the warrant do not positively state that the property is on the person or in the place to be searched.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 500. To make a supplemental appropriation to the Children's Trust Fund for the operation of said trust, from the general fund of the state treasury, for the fiscal year ending September 30, 1987; providing that no balance of such funds, at the end of the fiscal year, shall revert to the general fund of the state treasury but shall continue until the said additional appropriation is depleted.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 958. To propose an amendment to the Constitution of Alabama of 1901, to authorize the levy and collection of an additional property tax within the Roanoke School District, Randolph County, for public education purposes.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1066. Relating to Mobile County; levying an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection, and distribution of the proceeds of the tax, and of the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

JOHN W. PEMBERTON,  
Clerk.

**FURTHER CONSIDERATION OF H. J. R. 265**

The Senate proceeded to further consideration of the Resolution:

H. J. R. 265. AMENDING SENATE JOINT RESOLUTION 18 OF THE ORGANIZATIONAL SESSION 1987 (ACT 87-19) THAT CREATED IN INTERIM COMMITTEE ON FINANCES AND BUDGETS TO ALLOW THE APPOINTMENT OF SUB-COMMITTEES.

as amended, which said amendments are set out in the Journal of the Senate and postponed on the Twenty-First and Twenty-Second Legislative Days.

On motion of Senator Corbett, further consideration of the Resolution, H. J. R. 265, as amended, was postponed subject to the call of the Chair.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has acceded to the request of the Senate for a new Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 535. To amend Section 6-5-481 of the Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act so as to provide further for the definition of the terms "Other Health Care Providers" and "Professional Corporation."

And the Speaker of the House has appointed as Conferees on part of the House Representatives: Holley, Hall, and Johnson (RG).

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 861. Relating to Clarke County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector; prescribing the amount of salary and method of payment of said salary; repealing conflicting laws; providing for an advisory referendum; and prescribing the effective date of this act.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 796. To amend portions of Section 24-1A-1 of the Code of Alabama 1975, relating to the legislative findings and declaration of purpose underlying Chapter 1A of Title 24 of the Code of Alabama 1975; to amend the definition of "eligible housing unit" appearing in Section 24-1A-2(5) of the Code of Alabama 1975, so as to provide that eligible housing units may include multi-family dwelling units for occupancy by persons and families without restriction as to their income, other than applicable federal restrictions; and to amend Section 24-1A-9 of the Code of Alabama 1975, so as to provide further for the limitation on issuance of certain bonds by the Alabama Housing Finance Authority.

JOHN W. PEMBERTON,  
Clerk.

**REPORT FROM RULES**

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

**S. J. R. 55. REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH THE ALABAMA "PRINCIPAL-OF-THE-YEAR PROGRAM."**

Also:

**S. J. R. 47. REQUESTING THAT SPACE IN THE ALABAMA STATE HOUSE BE ALLOCATED FOR A CHAPEL.**

Also:

**S. J. R. 48. ESTABLISHING THE JOINT GOVERNOR'S-LEGISLATIVE TASK FORCE AGAINST PORNOGRAPHY.**

On motion of Senator Drinkard, said Resolutions were adopted by the Senate.

Senator Smith (J), Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

**H. J. R. 99. CREATING THE JOINT INTERIM COMMITTEE ON THE DISPOSAL OF SCRAP TIRES.**

Also:

**H. J. R. 119. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY THE STEEL INDUSTRY.**

Also:

**H. J. R. 359. MEMORIALIZING THE PRESIDENT AND U. S. CONGRESS TO SUPPORT THE IMPLEMENTATION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE'S AFRICANIZED BEE BARRIER PROPOSAL.**

Also:

**H. J. R. 207. EXPRESSING THE LEGISLATIVE INTENT OF ACT 81-451.**

On motion of Senator Drinkard, said Resolutions were concurred in and adopted by the Senate.

Senator Smith (J), Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**S. R. 158. URGING UNITED STATES SENATOR SAM NUNN OF GEORGIA TO RUN FOR THE PRESIDENCY.**

Which was adopted.

**REGULAR SESSION  
29th Day**

2055

Senator Smith (J), Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Motion in Writing and ordered same returned to the Senate with a favorable report, to-wit:

**MOTION IN WRITING**

Notice in Writing having been given on the preceding legislative day, motion is now made to amend the Senate Rules as follows:

Add the following rule as Rule 41 (a)

“RULE 41 (a) Senators shall particularly forbear personal reflections, and no Senator shall name another or make personal remarks in argument or debate.”

On motion of Senator Dixon, further consideration of his Motion in Writing was postponed subject to the call of the Chair.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 288. To exempt the King's Ranch, Inc., from the payment of all state, county and municipal sales and use taxes.

Also:

H. 325. To amend Section 32-5A-171, Code of Alabama 1975, which relates to the maximum speed limit of motor vehicles, so as to provide for an increase in the maximum speed limit on certain portions of the Interstate System and to provide for the marking of trucks and maximum speed limit of trucks transporting explosives, flammable liquids or hazardous wastes.

Also:

H. 371. To provide longevity pay for certain employees of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

Also:

H. 542. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$6,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including (a) the power to make grants from the proceeds of the said additional bonds to counties, municipalities and local industrial development boards, economic development councils and airport authorities, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide for the execution, form and terms of such bonds and for the terms of sale thereof; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of

fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Sections 40-25-2 and 40-25-23, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the state treasurer shall be the custodian of the funds of the Authority.

Also:

H. 837. To provide that the first \$9,500,000 of the net amount of all taxes required to be deposited to or certified in the state treasury to the credit of the state general fund pursuant to Section 40-20-8, Code of Alabama 1975, as amended, in each fiscal year beginning with the fiscal year commencing on October 1, 1987, shall be credited to an account to be known as the Alabama State Docks Facilities Contingency Trust Fund and created hereby; to provide that there shall be appropriated and paid to the Alabama State Docks Department, under certain circumstances, all or a portion of all funds deposited to that account based on the expected deficiency anticipated to be incurred by the Department in payment of (1) expenses anticipated to be incurred in operating and maintaining the Department's coal handling and other facilities and (2) principal and interest coming due during the then current fiscal year on certain bonds of the state and of the Department; to provide that within forty-five days after the close of the third quarter of a fiscal year any moneys then contained in and as shall during the remainder of the fourth quarter of the fiscal year be deposited to the credit of the account established hereby in excess of the amount anticipated to be needed during the fourth quarter to satisfy any expected deficiency in the Department's operations as defined herein shall be transferred out of Alabama State Docks Facility Contingency Trust Fund and deposited to the general fund; to provide that amounts transferred pursuant to this Act may be used for any lawful purpose except to pay principal of or interest on any obligations issued by the Alabama State Docks Department; to provide that this Act shall not constitute a contract between the State or the Alabama State Docks Department and the holders of any obligations issued by the Alabama State Docks Department; to provide that amounts transferred pursuant to this Act constitute mere voluntary payments by the State to or in aid of the Alabama State Docks Department; to repeal all laws or parts of laws in conflict with the provisions of this Act; to provide that the provisions of this Act are severable; and to provide for an effective date.

Also:

H. 840. To provide for referendums to authorize Class 5 municipalities to construct hydroelectric generating facilities.

Also:

H. J. R. 311. TO CONTINUE THE JOINT INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT.

Also:

H. J. R. 438. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY METROPOLITAN-GOVERNMENT.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS AND RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 133. To define, specify principles of liability and defenses for, and prescribe the punishment for the crimes of: criminal solicitation to commit a controlled substance crime, attempt to commit a controlled substance crime, and criminal conspiracy to commit a controlled substance crime; to provide that criminal solicitation, attempt, and criminal conspiracy to commit a controlled substance crime are included offenses in any controlled substance crime that is charged; to specify the conduct to which this act applies; to repeal any conflicting laws; to provide for severability; and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 125. To amend §§40-23-2 and 40-23-35, Code of Alabama 1975, to impose an excise tax on unlawful sales, use and other transactions involving certain drugs or controlled substances, and provide for the disposition of the proceeds of the tax.

JOHN W. PEMBERTON,  
Clerk.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate Bill:

S. 284. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945,

approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from seven qualified candidates unless the appointing authority shall request the three ranking eligibles only.

And the Speaker of the House has appointed as Committee on part of the House Representatives: White (G), Perdue, and Spratt.

JOHN W. PEMBERTON,  
Clerk.

### RESOLUTIONS

Senator Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 194. AMENDING THE JOINT RULES OF THE TWO HOUSES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Joint Rules of the Two Houses of the Alabama Legislature are hereby amended by adding a new Rule to become effective on the first day of the next session, be it special or regular after Joint Rule 14 as follows:

Rule 15. All Legislative Business of the Senate and House of Representatives shall be transacted between the hours of 8:00 A.M. and 10:00 P.M. and only the introduction of Bills, Standing Committee Reports, and Messages from one House to the other shall be conducted after the hour of 8:00 P.M. However, the provisions of this Rule may be suspended by a vote of 3/5 of those elected in each House therein.

and renumber the remaining Rules accordingly.

Which was read and referred to the Standing Committee on Rules.

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 195. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the twenty-ninth legislative day of the 1987 Regular Session only:

BILL NO.	DESCRIPTION	PAGE NO.
H. 876	Dependency hearings, out of ct. statements by a child re sexual conduct admissible in cert. instances, Sec. 12-15-65 am'd.	84
H. 251	Controlled substances, counterfeit drugs, drug-related offenses defined, penalties, Secs. 20-2-2, 20-2-32, 20-2-72, 20-2-80, 20-2-81, 20-2-93 am'd., Secs. 20-2-70, 20-2-73, 20-2-75, 20-2-76, 20-2-77 repealed	80
H. 577	Motor Vehicles, towing cotton wagons exempted from general trailer restrictions, Sec. 32-9-2 am'd.	21



REGULAR SESSION  
29th Day

2059

H. 211	Oysters, sacking, tagging and sale reg., penalties.	22
H. 217	Seafood fishing, license fees further provided for non-residents, Sec. 9-12-80 am'd.	21
H. 588	Nuts, bulbs, fruits and vegetables, promotion of by assessment, intermediary referendum auth. to modify existing assessments, Sec. 2-8-135 am'd.	22
H. 1	Recreational vehicles, license plates, taxes and fees not to exceed \$50.00	58
H. 367	Casting light from motor vehicle onto real property Sec. 32-5-17 am'd.	79
H. 338	Diseases, notifiable and sexually transmitted, St. Bd. of Health to designate, reporting treating, incarceration.	45
H. 483	Electric Cooperatives, incl. "powers" within name, Sec. 37-6-4 am'd.	10
H. 189	Bd. of Dental Examiners, auth. to employ investigators with powers of peace officers to investigate controlled substance abuse, Secs. 20-2-90, 20-2-91, 34-9-43 am'd.	6
H. 845	Boards of registrars, compensation paid by st. to co. comms. who disburse to membs. of bds., Sec. 17-4-153 am'd.	83
H. 628	Charitable fraud, crime of estab., criminal and civil penalties	77
H. 233	Guardians and conservators of an estate, powers and duties, numerous sections amended and repealed.	8
H. 565	Sales tax, only one mun. or co. collection of sales or use tax on the same sale	33
H. 84	Elections in muns. having mayor-council forms of gov't. Sec. 11-43-2, 11-46-21, 11-46-22, 11-46-24 through 11-46-27, 11-46-36, 11-46-40, 11-46-51 am'd.	7
H. 86	Elections in muns. having commission form of gov't., Secs. 11-46-92, 11-46-93, 11-46-96, 11-46-97, 11-46-98, 11-46-107, 11-46-111, 11-46-122 am'd.	7
H. 706	Podiatry, boards powers and duties, immune from civil liability Sec. 34-24-252 and 34-24-276 am'd.	46
H. 207	Appropriations, to La., Miss., and Al., rapid rail transit comm. to est. rail passenger service between Birmingham, Montg., and Mobile, general fund.	11

H. 599	Police Officers and Firefighters Survivor Educational Assistance Act, tuition to cert. children of officers and firemen killed in line of duty, Secs. 36-21-95 through 36-21-99 repealed.	66
H. 576	Motor Vehicles, farm trailers, width length, axle limitations and weight limits increased, overhang allowed, Sec. 32-9-26 and 32-9-27 am'd.	20
H. 401	State surplus property, 30 days for payment, non-profit corporations to purchase, Sec. 41-16-120 am'd.	37
H. 650	TVA Commission, bond issue fin. by in-lieu of taxes, Secs. 41-9-782 and 41-9-783 am'd.	62
H. 250	Uniform Comm. Code, Farm Products Central Index System Fund, for cert. fees, alt.	49
H. 814	Catfish promotion, catfish food, assessment by catfish producers Const. 1901 am'd.	86
H. 815	Catfish Promotion, checkoff program estab.	87
H. 821	Domestic Violence shelters, max. funding limit deleted, marriage license fee incr., Sec. 30-6-6 and 30-6-11 am'd.	66
H. 386	Rape and Sodomy felonies upgraded, Sec. 13A-6-62 and 13A-6-64 am'd.	77
H. 471	Victims and victims counselors, confidential communications.	23
H. 240	Manslaughter, penalty alt., Sec. 13A-6-3	76
H. 223	Criminal law, criminal procedure, evidence, case action summaries or docket sheets admissible into evidence to prove previous conviction of a crime.	8
H. 126	Homestead exemption of persons over 65 or disabled, income limit removed, one time filing, Secs. 40-9-19, 40-9-21 am'd.	74
H. 934	Trust Estates investments, investments in African Development Bank auth., Sec. 19-3-120 am'd.	48
H. 935	Insurance Companies, auth. to invest in African Development Bank, Sec. 27-41-14 am'd.	48
H. 719	Enterprise zones created to encourage industrial development	34
H. 697	County elections on school taxes, voting hours extended	57
H. 735	Bonds, sale at public or private sale in discretion of city or county governing body.	56

**REGULAR SESSION**  
**29th Day**

2061

H. 510	Oil and gas taxes levied by counties and muns., limitations, Sec. 40-20-2 am'd.	81
H. 74	School records, knowingly falsifying prohib., penalties	17
H. 203	Al. Convention and Tourist Facilities Act, established.	38
H. 10	Vulgar bumper stickers prohibited.	9
H. 225	Hazardous Waste Management Act of 1978 amended to conform to Federal Resource Conservation and Recovery Act of 1976, numerous sections amended, sec. 22-30-13 repealed.	16
H. 114	Acts of Alabama, 1985 2nd Sp. Sess. and 1986 Reg. Sess., codified	52
H. 506	Board of veterinary medical examiners, practice and licensure of veterinary medicine and surgery further reg., Act 86-500, Reg. Sess. 1986 am'd., Secs. 34-29-61, 34-29-63, 34-29-64, 34-29-65, 34-29-71, 34-29-73, 34-29-75, 34-29-88 am'd.	53
H. 502	Age of majority for student loans, alt.	19
H. 297	Firemen, retirement pay and pension, exempt from st. and local income taxes, Sec. 40-18-19 am'd.	67
H. 193	Municipalities in Class 7 and 8, procedure for purchasing prog. from employees of such mun. or board members of such mun. boards, Sec. 11-43-12.1 am'd.	9
H. 171	Limitation of liability of physicians serving on hospital committees.	6
H. 164	Foreign medical schools, board of med. examiners to approve, Sec. 34-24-70 amd	24
H. 478	Court reporters and supernumerary reporters, auth. to join employees retirement system.	43
H. 533	Retirement systems, re-opened for cert. membs.	27
H. 450	Airport authorities, board of directors, number provided, Sec. 4-3-45 amd.	79
H. 762	Police chiefs req. to complete 20 hours of continuing education	80
H. 46	Hunting accidents, grand jury investigation req., notice to dept. of conservation req.	78

On motion of Senator Smith (J), the Resolution was adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J), B. I. R., H. B. 876, adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Holmes
Bedford	deGraffenried	Foshee	Langford
Bedsole	Denton	Goodwin	Manley
Bennett	Dial	Hale	Menton
Bishop	Dixon	Hand	Smith (J)
Cabaniss			

—20

Nays:

—0

**SPECIAL ORDER****BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 876. To amend Code of Alabama 1975, §12-15-65 to provide that an out of court statement made by a child under the age of twelve describing acts of sexual conduct performed on or with the child by another shall be admissible in dependency hearings if the court finds that the statement is sufficiently reliable; to provide that such statement may not be admitted unless the proponent of the statement gives advance notice of the details of the statement and of his intention to offer the statement, so that the adverse party may have a fair opportunity to rebut the statement; to provide the conduct to which this act applies; to provide for severability; and to provide an effective date.

The Standing Committee on Rules reported the following amendment to the Bill, H. B. 876, to-wit:

**AMENDMENT TO H. B. 876**

Amend House Bill 876 on Page 4, Line 2 after the word "hearing" by adding the following:

"(h) This exception contained herein shall not apply to a criminal proceeding or charge."

and renumber the following paragraphs accordingly.

On motion of Senator Smith (J), further consideration of the Bill, H. B. 876, and pending amendment, was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Ellis, B. I. R., H. B. 251, adopted.

Yeas 24; Nays 0.

Yeas:

Senators:	Denton	Foshee	Menton
Bedsole	Dial	Goodwin	Mitchem
Bennett	Dixon	Hilliard	Pruitt
Bishop	Drinkard	Holmes	Rice
Cabaniss	Ellis	Langford	Sanders
Campbell	Figures	Manley	Smith (J)
Covington			

—24

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 251. To define and set the punishment for the crimes of: unlawful distribution of controlled substances; unlawful possession or receipt of controlled substances; and unlawful possession of marihuana in the first and second degrees; to amend Code of Alabama 1975, 20-2-71, 20-2-72, 20-2-73; and 20-2-74; to provide for the incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal Code of Alabama 1975, §§20-2-70, 20-2-76, and 20-2-77, and any and all other laws or parts of laws that conflict with this act, insofar as conduct occurring after the effective date of this act is concerned; to provide that this act is supplemental to other laws not inconsistent with this act and shall not be deemed to repeal such laws; to specify the conduct to which this act applies; to provide for severability; and, to provide an effective date.

was read a third time at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton
Bedsole	Dial	Hale	Mitchem
Bennett	Dixon	Hand	Preuitt
Bishop	Drinkard	Hilliard	Rice
Cabaniss	Ellis	Holmes	Sanders
Campbell	Figures	Langford	Smith (J)
Corbett			

—24

*Nays:*

—0

**REPORT FROM RULES**

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**S. J. R. 192. AMENDING THE JOINT RULES OF THE TWO HOUSES.**

On motion of Senator Bishop, said Resolution was adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., H. B. 577, adopted.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Campbell	Hand	Mitchem
Bailey	Denton	Hilliard	Preuitt
Bedsole	Dial	Holmes	Sanders
Bennett	Drinkard	Langford	Smith (B)
Bishop	Ellis	Manley	Smith (J)
Cabaniss	Goodwin	Menton	

—22

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 577. To amend §32-9-2, which exempts cotton wagons from general trailer restrictions so as to also exempt module-movers and to increase the width and length of the trailers and module-movers from eight feet wide and 75 feet long to 10 feet wide and 85 feet long.

was read a third time at length and passed.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Mitchem	
Bailey	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Pruitt	
Bennett	Drinkard	Langford	Sanders	
Bishop	Ellis	Manley	Smith (B)	
Cabaniss	Goodwin	Menton		—22

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 209. To amend Section 40-17-31(a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline and lubricating oil by city and county boards of education, the Alabama Institute for Deaf and Blind, Department of Youth Services School District, and private and parochial schools shall be exempt from taxation under the levy provided for in Section 40-17-31 (a) and Section 40-17-171 and Section 40-17-220, Code of Alabama, 1975.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 541. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary

REGULAR SESSION  
29th Day

2065

for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$6,000,000 in aggregate principal amount.

Also:

H. 570. To authorize each municipality in this State to donate certain real property (whether acquired prior to or subsequent to the enactment hereof) to the United States of America for use by the said United States for defense and related purposes, to authorize each such municipality to issue its bonds, warrants or the evidences of indebtedness for the purpose of providing funds to purchase such real property and to authorize each such municipality to convey such real property to a "related public corporation" under Chapter 63 of Title 11 of the Code of Alabama of 1975 for the purpose of enabling such public corporation to donate the said real property to the United States.

Also:

H. 796. To amend portions of Section 24-1A-1 of the Code of Alabama 1975, relating to the legislative findings and declaration of purpose underlying Chapter 1A of Title 24 of the Code of Alabama 1975; to amend the definition of "eligible housing unit" appearing in Section 24-1A-2(5) of the Code of Alabama 1975, so as to provide that eligible housing units may include multi-family dwelling units for occupancy by persons and families without restriction as to their income, other than applicable federal restrictions; and to amend Section 24-1A-9 of the Code of Alabama 1975, so as to provide further for the limitation on issuance of certain bonds by the Alabama Housing Finance Authority.

Also:

H. 861. Relating to Clarke County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector; prescribing the amount of salary and method of payment of said salary; repealing conflicting laws; providing for an advisory referendum; and prescribing the effective date of this act.

Also:

H. 958. To propose an amendment to the Constitution of Alabama of 1901, to authorize the levy and collection of an additional property tax within the Roanoke School District, Randolph County, for public education purposes.

Also:

H. 1066. Relating to Mobile County; levying an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in the county; providing for the assessment, collection, and distribution of the proceeds of the tax, and of the adoption and promulgation of rules and regulations therefor by the governing body of said county; defining violations of the act, and prescribing penalties therefor.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**BUDGET ISOLATION RESOLUTION**

Senator Menton, B. I. R., H. B. 211, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Dial	Goodwin	Langford	
Bailey	Dixon	Hale	Menton	
Bedsole	Drinkard	Hand	Mitchem	
Bishop	Ellis	Hilliard	Sanders	
Cabaniss	Foshee	Holmes	Smith (B)	
Denton				—20

*Nays:* —0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 211. To provide for the sacking and tagging of oysters taken from Alabama waters for commercial purposes; to prohibit the possession of empty oyster sacks with oyster tags attached thereto; to prohibit the sale, purchase or possession of oysters in violation thereof; to prescribe penalties for the violation thereof; and to provide for the purchase of oyster tags from the Department of Conservation and Natural Resources, and the use of the receipts therefrom.

was read a third time at length and passed.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dixon	Hand	Mitchem	
Bishop	Drinkard	Hilliard	Sanders	
Cabaniss	Ellis	Holmes	Smith (B)	
Campbell	Foshee	Langford		—22

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Menton, B. I. R., H. B. 217, adopted.



**REGULAR SESSION  
29th Day**

2067

Yeas 21; Nays 0.

*Yeas:*

Senators:	Dial	Hale	Manley
Bailey	Dixon	Hand	Menton
Bedsole	Drinkard	Hilliard	Mitchem
Cabaniss	Ellis	Holmes	Sanders
Campbell	Foshee	Langford	Smith (B)
Denton	Goodwin		

—21

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 217. To amend Section 9-12-80, Code of Alabama 1975, relating to seafood license fees for certain nonresidents and boats, so as to change the fees for certain nonresidents and boats for certain seafood licenses in Alabama from double the cost for Alabama residents and boats to the cost charged Alabama residents and boats for a similar license in that state; and to provide that in no event shall said nonresidents and boats pay less than twice the cost for said licenses that Alabama residents pay.

was read a third time at length and passed.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsole	Dial	Hand	Mitchem
Bishop	Drinkard	Holmes	Sanders
Cabaniss	Ellis	Langford	Smith (B)
Campbell			

—20

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Bedsole, B. I. R., H. B. 584, adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton
Bedsole	Dial	Hale	Mitchem
Bishop	Drinkard	Holmes	Rice
Cabaniss	Ellis	Langford	Sanders
Campbell	Foshee	Manley	Smith (B)
Covington			

—20

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 584. To amend Section 2-19-131, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, providing procedures to be used when assessments are not paid to also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

was read a third time at length and passed.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Bedsole	Denton	Hale	Rice
Bishop	Dial	Holmes	Sanders
Cabaniss	Drinkard	Langford	Smith (B)
Campbell	Ellis	Manley	

—22

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B. I. R., H. B. 588, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Menton
Bailey	Dial	Hale	Mitchem
Bennett	Dixon	Holmes	Rice
Bishop	Drinkard	Langford	Sanders
Cabaniss	Ellis	Manley	Smith (B)
Campbell	Foshee		

—21

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 588. To amend sections 2-8-126 and 2-8-135, Code of Alabama 1975, relating to referendums authorizing an assessment of certain producers for the promotion of nuts, bulbs, fruits and vegetables; so as to authorize the holding of intermediary referendums to alter or modify the terms of an existing assessment and to further provide for the notice of referendums.

was taken up.

The Standing Committee on Agriculture, Conservation, and Forestry reported the following amendment to the Bill, H. B. 588, to-wit:

**AMENDMENT TO H. B. 588**

Amend House Bill 588, page 2, line 4, by inserting after the word "published" and before the word "in" the following language:

"once a week"

On motion of Senator Drinkard, further consideration of the Bill, H. B. 588, and pending amendment, was postponed subject to the call of the Chair.

### REPORT FROM RULES

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 54. CREATING THE JOINT STUDY COMMITTEE ON EDUCATION.

On motion of Senator Drinkard, further consideration of the Resolution, S. J. R. 54, was postponed subject to the call of the Chair.

Senator Smith (J), Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

S. J. R. 94. CONTINUING THE JOINT GOVERNOR'S-LEGISLATIVE TASK FORCE ON CHILD DAY CARE.

On motion of Senator Cabaniss, further consideration of the Resolution, S. J. R. 94, was postponed subject to the call of the Chair.

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 1. To provide for a limitation on the total cost of license plates, taxes and license fees for motorized recreational vehicles; to return the taxation of such vehicles to the rates, weights and amounts that existed prior to 1984; and to exempt motorized recreational vehicles from the provisions of section 40-12-248 of the Code of Alabama 1975.

was taken up.

On motion of Senator Drinkard, further consideration of the Bill was postponed subject to the call of the Chair.

#### THE BILL:

H. 367. To amend Section 32-5-17, Code of Alabama 1975, relating to the certain casting of a light onto certain real property from or with the aid of a motor vehicle, so as to provide for the prohibition of such activity between sunset and sunrise on any real property, to further provide for exceptions, and to further provide for penalties for the violation thereof.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

### BUDGET ISOLATION RESOLUTION

Senator Drinkard, B. I. R., H. B. 338, adopted.

Yeas 24; Nays 0.

Yeas:

Senators:	Covington	Foshee	Langford
Bailey	Denton	Goodwin	Manley
Bedsole	Dial	Hale	Menton
Bennett	Drinkard	Hand	Preuitt
Bishop	Ellis	Hilliard	Rice
Cabaniss	Figures	Horn	Sanders
Campbell			

—24

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 338. To authorize the state board of health to designate and require proper reporting of notifiable diseases; to require reporting of designated notifiable diseases by certain persons and to provide for confidentiality of such reports; to provide for quarantine of certain persons afflicted with a notifiable disease; to require disclosure of certain medical records to the state health officer; to empower the state board of health to investigate and suppress notifiable diseases; to provide for penalties for failure to report notifiable diseases; to require obedience to the lawful orders of health officials regarding notifiable diseases; to require reports of active or suspected active cases of tuberculosis; to provide for commitment, after hearing before the probate judge, of recalcitrant persons infected with tuberculosis; to allow for admission to regional contract tuberculosis hospitals of persons with other types of chronic lung diseases; to provide for treatment by the state board of health of persons infected with tuberculosis; to authorize the state board of health to designate and treat sexually transmitted diseases and to require reporting thereof; to require testing for syphilis of all persons seeking a marriage license; to require sexually transmitted disease serologic testing of all pregnant women and require reporting of positive results; to require testing for designated sexually transmitted diseases of all inmates in correctional facilities and jails and require reporting of positive results; to require confinement, after hearing, of persons with designated sexually transmitted diseases; to remove the disabilities of non-age from minors 12 years or older as to treatment for designated sexually transmitted diseases; to require instruction in measures of preventing designated sexually transmitted diseases; to prescribe the penalty for treating designated sexually transmitted diseases without a license as a physician; to prescribe the penalty for transmitting designated sexually transmitted diseases; to provide for confidentiality of designated sexually transmitted disease records; to require all persons to seek and accept treatment for designated notifiable diseases; to require compulsory testing, treatment and quarantine of persons infected with designated notifiable diseases and who refuse same, after hearing before the probate judge; to prescribe the manner and form of quarantine petitions; to require the probate judge to hear such petitions; to require compulsory attendance at hearings by persons suspected of being infected with designated notifiable disease; to allow for the appointment of attorney and guardian ad litem for persons suspected of having designated notifiable disease; to allow commitment hearings in absentia under certain conditions; to specify the findings that the probate judge must make prior to commitment of persons afflicted with designated notifiable disease; to provide for jurisdiction of probate courts; to provide for payment of fees to court appointed attorneys and

REGULAR SESSION  
29th Day

2071

guardians ad litem; to provide for appeal from commitment orders; and to allow quarantine of inmates suspected of being infected with designated notifiable disease.

was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Menton
Bailey	Denton	Hale	Mitchem
Bedsole	Dixon	Hand	Preuitt
Bennett	Drinkard	Hilliard	Rice
Bishop	Ellis	Horn	Sanders
Cabaniss	Figures	Langford	Smith (B)
Campbell	Foshee	Manley	

—26

Nays:

—0

**FURTHER CONSIDERATION OF S. J. R. 94**

The Senate proceeded to further consideration of the Resolution, S. J. R. 94.

The Standing Committee on Rules reported the following substitute for the Resolution, S. J. R. 94, to-wit:

**SUBSTITUTE FOR S. J. R. 94**

S. J. R. 94. CONTINUING THE JOINT GOVERNOR'S-LEGISLATIVE TASK FORCE ON CHILD DAY CARE.

WHEREAS, H. J. R. 89 of the 1986 Special Legislative Session created the Joint Governor's-Legislative Task Force on child day care; and

WHEREAS, there is a need to further investigate statewide issues and needs in child day care and to develop a comprehensive child day care plan for Alabama; and

WHEREAS, there continues a great need for the continuation of Task Force's work; and

WHEREAS, there is a continuing need to serve as a resource to the Governor and to the Legislature on child day care; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Joint Governor's-Legislative Task Force on child day care, created by Act 86-672, H. J. R. 89 of the 1986 First Special Session (Acts of 1986 First Special Session, p. 65) is hereby continued as herein provided.

The Joint Governor's-Legislative Task Force on child day care shall continue to be charged with the responsibility of studying the following specific problems and making recommendations as to potential solutions:

1. Accessibility and affordability of child day care;
2. Education-public awareness of child day care as a basic necessity and a positive program;
3. Quality in child day care; and

4. Supportive networks-partnerships to increase child day care resources.

The twenty (20) original appointed members of the Task Force were appointed as follows:

Eight (8) members appointed by the Governor (to include at least one member of the staff of the State Department of Human Resources, one member of the State Department of Education, and one member of the State Department of Health);

Four (4) non-legislative members, who are service providers in the day care industry, appointed by the Joint Legislative Study Committee on Children and Youth;

Four (4) members appointed by the Lieutenant Governor, of whom three shall be members of the Alabama Senate;

Four (4) members appointed by the Speaker of the House, of whom three shall be members of the Alabama House of Representatives.

All original members shall continue to be members on the Task Force. Any vacancies occurring in any position on the twenty (20) person original Task Force membership shall be filled in the same manner as the original appointments were made.

In addition, seven (7) new task force members shall be appointed to serve as follows:

(a) Three (3) persons appointed by the governor, one (1) of which must be a service provider in the day care industry; and

(b) Two (2) persons appointed by the Lieutenant Governor, one (1) of whom must be a service provider in the day care industry; and

(c) Two (2) persons appointed by the Speaker of the House, one (1) of whom must be a service provider in the day care industry. Any vacancies occurring in the seven additional memberships shall be filled in the same manner as the original appointments.

The Governor shall serve as an ex officio member;

The Commissioner of the State Department of Human Resources shall also serve as an ex officio member.

BE IT FURTHER RESOLVED, That this Task Force work cooperatively and share information with the Joint Legislative Study committee on Children and Youth.

BE IT FURTHER RESOLVED, That the legislative members shall receive their regular expense, travel and per diem allowances for each day the committee meets, upon approval by the chairman on warrants as provided by law, and shall be payable from any funds appropriated for use of the Legislature, but not to exceed five thousand dollars per annum.

RESOLVED FURTHER, That said Task Force shall report its further findings and recommendations to the Governor and the Legislature on the first day of the 1988 Legislative Session whereupon it shall stand discharged from all duties and dissolved.

Senator Cabaniss offered the following amendment to the substitute for the Resolution, S. J. R. 94, to-wit:

**AMENDMENT TO SUBSTITUTE FOR S. J. R. 94**

Amend Committee Substitute for Joint Resolution 94, Page 3, Line 17, by adding the following sentence after the word annum:

Members must attend said meeting in order to be paid.

Which was adopted.

And said substitute, as thus amended, was then adopted.

And on motion of Senator Cabaniss, said Resolution, S. J. R. 94, as thus amended by the substitute, as amended, was then adopted by the Senate.

**FURTHER CONSIDERATION OF H. J. R. 265**

The Senate proceeded to further consideration of the Resolution, H. J. R. 265, as amended.

Senator Cabaniss offered the following amendment to the Resolution, H. J. R. 265, as amended, to-wit:

**AMENDMENT TO H. J. R. 265, AS AMENDED**

Amend H. J. R. 265 on page 1, line 21, by deleting the language "during which the committee shall exist" and inserting in lieu thereof: "that the committee meets"

Which was adopted.

And on motion of Senator Cabaniss, said Resolution, H. J. R. 265, as thus amended, was concurred in and adopted by the Senate.

**FURTHER CONSIDERATION OF H. B. 367**

The Senate proceeded to further consideration of the Bill, H. B. 367.

**BUDGET ISOLATION RESOLUTION**

Senator Denton, B. I. R., H. B. 367, adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Denton	Hand	Menton
Bennett	Drinkard	Hilliard	Mitchem
Bishop	Ellis	Horn	Preuitt
Cabaniss	Foshee	Langford	Sanders
Campbell	Goodwin	Manley	Smith (B)
Covington	Hale		

—21

Nays:

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 367. To amend Section 32-5-17, Code of Alabama 1975, relating to the certain casting of a light onto certain real property from or with the

aid of a motor vehicle, so as to provide for the prohibition of such activity between sunset and sunrise on any real property, to further provide for exceptions, and to further provide for penalties for the violation thereof.

was read a third time at length and passed.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Dixon	Hale	Menton	
Bishop	Drinkard	Hand	Mitchem	
Cabaniss	Ellis	Hilliard	Preuitt	
Campbell	Figures	Horn	Sanders	
Covington	Foshee	Langford	Smith (B)	
Denton	Goodwin	Manley		—22

*Nays:*

—0

### BUDGET ISOLATION RESOLUTION

Senator Foshee, B. I. R., H. B. 483, adopted.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Manley	
Bedsole	Dixon	Hale	Menton	
Bishop	Drinkard	Hand	Mitchem	
Cabaniss	Ellis	Hilliard	Rice	
Campbell	Figures	Horn	Sanders	
Covington	Foshee	Langford	Smith (B)	
deGraffenried				—24

*Nays:*

—0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 483. To amend Section 37-6-4 so as to allow a generating or transmission cooperative to use the word "power" in its name in lieu of the words "electric" or "cooperative" and to delete the requirement that the name of distribution cooperatives contain the word "electric."

was read a third time at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Covington	Figures	Horn	
Bailey	deGraffenried	Foshee	Langford	
Bedsole	Denton	Goodwin	Menton	
Bishop	Dixon	Hale	Mitchem	
Cabaniss	Drinkard	Hand	Preuitt	
Campbell	Ellis	Hilliard	Sanders	
Corbett				—24

*Nays:*

—0



**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., H. B. 189.

On motion of Senator Drinkard, further consideration of the Bill was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Bishop, B. I. R., H. B. 845, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Covington	Hale	Mitchem
Bailey	Denton	Hand	Preuitt
Bedsole	Dixon	Langford	Rice
Bishop	Drinkard	Manley	Sanders
Cabaniss	Ellis	Menton	Smith (J)
Campbell	Goodwin		

—21

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 845. Relating to members of the board of registrars of this state; to amend Section 17-4-153, Code of Alabama 1975, relating to the salary of the boards of registrars, to provide that a certain salary shall be paid to each member of a board of registrars for each day's attendance upon business of the board; to provide that the said salary plus the employer share of the social security or Federal Insurance Corporation Act tax shall be paid to the county commissions and the salary shall be disbursed by the county commissions to each member of a board of registrars; to provide for the reimbursement of travel and other expenses to the county commissions based on a written request submitted to the state comptroller; to state the legislative intent of this act; to provide that such members of the boards of registrars of this state shall be treated as other state and county employees are treated for social security purposes; to direct that the state office for social security and the state comptroller and each county commission shall take all necessary action to insure that such board members are treated as other state and county employees in regard to social security protection and benefits as provided in Chapter 28 of Title 36 of the Code of Alabama, including, if necessary, amending the federal-state agreement referred to in said Chapter 28 of Title 36 of the Code of Alabama; to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this act; and to provide the manner in which this bill becomes law.

was read a third time at length and passed.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Covington	Figures	Menton
Bedsole	Denton	Goodwin	Mitchem
Bennett	Dixon	Hale	Preuitt
Bishop	Drinkard	Hand	Sanders
Cabaniss	Ellis	Langford	Smith (J)
Campbell			

—20

*Nays:*

—0

**MOTION TO RECONSIDER TABLED**

Senator Bishop moved that the Senate reconsider the vote by which the Resolution, S. J. R. 192, was adopted, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

**RESOLUTION**

Senators Sanders, Figures, Hilliard, and Horn offered the following Senate Resolution, to-wit:

S. R. 196. CONDEMNING THE DEROGATORY REMARKS OF ALCOHOLIC BEVERAGE CONTROL BOARD ADMINISTRATOR TANDY LITTLE TO STATE REPRESENTATIVE ALVIN HOLMES.

Which was adopted.

**BUDGET ISOLATION RESOLUTION**

Senator Smith (B), B. I. R., H. B. 628, adopted.

Yeas 18; Nays 1.

Yeas:

Senators:	Denton	Hand	Menton	
Bedsole	Drinkard	Hilliard	Preuitt	
Cabaniss	Ellis	Holmes	Rice	
Campbell	Goodwin	Horn	Smith (B)	
Covington	Hale	Langford		—18

Nay: Senator Amari

—1

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 628. To provide for the creation of the offenses of theft of property by charitable fraud and charitable fraud; to provide for criminal penalties; and to provide civil remedies to stop or prevent theft of property by charitable fraud and charitable fraud.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Horn	
Amari	Campbell	Hale	Langford	
Bailey	Covington	Hand	Menton	
Bedsole	Drinkard	Hilliard	Preuitt	
Bennett	Ellis	Holmes	Smith (B)	

—19

Nays:

—0

**FURTHER CONSIDERATION OF H. B. 189**

The Senate proceeded to further consideration of the Bill, H. B. 189.

**BUDGET ISOLATION RESOLUTION**

Senator Goodwin, B. I. R., H. B. 189, adopted.

REGULAR SESSION  
29th Day

2077

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Horn	
Amari	Covington	Goodwin	Langford	
Bailey	Denton	Hale	Menton	
Bedford	Drinkard	Hand	Preuitt	
Bennett	Figures	Hilliard	Smith (B)	—19

Nays: —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 189. To further provide for the enforcement of the controlled substances laws in the dental profession and related occupations; to further provide for the investigative powers of the board of dental examiners relating to drug or controlled substances violations; to amend Section 34-9-43, Code of Alabama 1975, as amended, relating to the general powers and duties, so as to provide that the board's investigators shall have the powers of peace officers and arrest relative to the enforcement of the drug and controlled substances laws; to further amend Sections 20-2-90 and 20-2-91, Code of Alabama 1975, as amended, relating to the enforcement of such laws and the inspections of prescriptions, orders, and records therefor, so as to authorize the investigators of the board of dental examiners to execute such powers to effectively investigate drug or controlled substances violations; to further provide for the board's investigators' qualifications; and to exclude such persons from certain allowances.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Holmes	
Amari	Campbell	Goodwin	Langford	
Bailey	Corbett	Hale	Menton	
Barron	Covington	Hand	Preuitt	
Bedsole	Denton	Hilliard	Rice	—19

Nays: —0

**BUDGET ISOLATION RESOLUTION**

Senator Figures, B. I. R., H. B. 233.

On motion of Senator Corbett, further consideration of the Bill was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Preuitt, B. I. R., H. B. 565, adopted.

Yeas 19; Nays 1.

Yeas:

Senators:	Campbell	Goodwin	Mitchem	
Bailey	Denton	Hale	Preuitt	
Bedsole	Drinkard	Hand	Rice	
Bennett	Ellis	Holmes	Smith (B)	
Bishop	Figures	Manley	Smith (J)	—19

Nay: Senator Hilliard

—1

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 565. To provide that only one municipal sales (gross receipts) or use tax and only one county sales or use tax shall be collected or paid on the same sale.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Menton	
Bailey	Corbett	Hand	Preuitt	
Bedford	Denton	Hilliard	Rice	
Bedsole	Drinkard	Holmes	Smith (B)	
Bennett	Ellis	Langford	Smith (J)	
Bishop	Figures	Manley		—22

Nays:

—0

**FURTHER CONSIDERATION OF H. B. 588**

The Senate proceeded to further consideration of the Bill, H. B. 588. The question was on the Committee amendment.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Corbett	Hale	Menton	
Bailey	Covington	Hand	Preuitt	
Bedsole	Drinkard	Holmes	Rice	
Bennett	Ellis	Langford	Smith (B)	
Bishop	Foshee	Manley	Smith (J)	
Campbell	Goodwin			—21

Nays:

—0

And said Bill, H. B. 588, as amended, was read a third time at length and passed.

REGULAR SESSION  
29th Day

2079

Yeas 21; Nays 0.

Yeas:

Senators:	Corbett	Hand	Menton
Bailey	Denton	Hilliard	Preuitt
Bedsole	Drinkard	Holmes	Rice
Bennett	Ellis	Horn	Smith (B)
Bishop	Figures	Manley	Smith (J)
Campbell	Hale		

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 73. To provide further for the number of students in state funded academic classrooms in the public schools in Alabama.

JOHN W. PEMBERTON,  
Clerk.

HOUSE MESSAGE

On motion of Senator Smith (J), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 73, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 73

Amend Senate Bill 73, Section 3, page 4, line 1 after the word "passed" by striking the following:

~~by a three fifths (3/5) vote of each chamber~~

and substituting in lieu thereof the following: by each chamber

Yeas 18; Nays 0.

Yeas:

Senators:	Drinkard	Hand	Preuitt
Bailey	Ellis	Holmes	Rice
Bedsole	Figures	Langford	Smith (B)
Campbell	Foshee	Manley	Smith (J)
Denton	Goodwin	Menton	

—18

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 485. To further amend Section 41-9-682, Code of Alabama 1975, which section provides for the general powers of the Alabama music hall of

fame, so as to further authorize the board to constitute a bond authority for the purposes of issuing general obligation bonds for capital outlay purposes, and for the purposes for which it was created; to provide for the circumstances under which the state of Alabama shall make payments on the costs incurred as a result of any such bond issue and to pledge its full faith and credit if necessary; to provide for the operation of such authority, its powers, duties and the allocation of bond proceeds; and to exempt such authority from any taxes of any nature, whether state, local or special.

Also:

S. 486. To propose an amendment to the Constitution of Alabama of 1901, as amended, which relates to the authority of the Alabama music hall of fame board to constitute an authority to issue general obligation bonds for capital outlay purposes and for the purposes for which it was created and to prescribe the powers thereof; to provide for the operation of the board as such authority, the allocation and expenditure of funds; to provide for exemptions from any and all taxes of any nature whatsoever; to provide that in the event appropriations, current revenues or bond proceeds are insufficient to cover costs, the state of Alabama shall pledge its full faith and credit; to provide that the legislature may enact subsequent legislation relating to said music hall supplemental to this amendment or in furtherance of the purposes and objectives of the provisions not in conflict herewith; and to provide that this amendment shall be self-executing when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of Alabama of 1901, as amended.

JOHN W. PEMBERTON,  
Clerk.

### BUDGET ISOLATION RESOLUTION

Senator Bishop requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Bishop, B. I. R., H. B. 782, adopted.

Yeas 18; Nays 1.

Yeas:

Senators:	Denton	Goodwin	Menton	
Bailey	Drinkard	Hand	Rice	
Bedsole	Ellis	Holmes	Smith (B)	
Bishop	Figures	Langford	Smith (J)	
Campbell	Foshee	Manley		—18

Nay: Senator Amari

—1

### BILLS ON THIRD READING RESUMED

THE BILL:

H. 782. To specifically exempt all purchases made with food stamps from all state, county and municipal sales and use taxes; to make such exemption contingent upon the continued requirement of federal law that conditions the states' participation in the food stamp program upon exempting purchases made with food stamps; to provide that the provisions of this act shall become inoperative, null and void if the food stamp sales tax amendment

REGULAR SESSION  
29th Day

2081

is either ruled unconstitutional or unenforceable by a federal court or is repealed by Congress; and to provide that provisions of act shall become operative on October 1, 1987.

was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Manley
Amari	Denton	Hand	Menton
Barron	Drinkard	Hilliard	Rice
Bedsole	Ellis	Holmes	Smith (B)
Bennett	Figures	Langford	Smith (J)
Bishop	Foshee		

—21

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Smith (B) requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Smith (B), B. I. R., H. B. 602, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Denton	Holmes	Menton
Bailey	Ellis	Horn	Rice
Barron	Foshee	Langford	Smith (B)
Bedsole	Goodwin	Manley	Smith (J)
Bennett	Hand		

—17

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 602. To provide for a Class A misdemeanor punishment for violation of the Alabama Department of Public Safety promulgated rules governing motor carrier safety regulations and hazardous material regulations.

was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Hand	Manley
Amari	Denton	Hilliard	Menton
Bailey	Drinkard	Holmes	Smith (B)
Bennett	Foshee	Horn	Smith (J)
Campbell	Goodwin	Langford	

—18

*Nays:* —0

**MOTION TO RECESS**

At 5:42 P.M., Senator Hilliard moved that the Senate take a recess from 6 o'clock to 7 o'clock this evening, which motion was adopted.

**BUDGET ISOLATION RESOLUTION**

Senator Smith (J) requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Holmes, B. I. R., H. B. 124, adopted.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Drinkard	Hand	Menton	
Bailey	Figures	Hilliard	Mitchem	
Cabaniss	Foshee	Holmes	Rice	
Campbell	Goodwin	Horn	Smith (B)	
deGraffenried	Hale	Manley	Smith (J)	
Denton				—20

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 124. To define the purpose and the terms used in this Act; to regulate the collection of wild ginseng; to provide for registration of dealers, collectors and growers and to provide for record keeping; to provide for export permits; to provide for rules and regulations; to provide for a monitoring program and right of entry; to provide for procedures for reselling or refusal to issue certificates and permits and appeals therefrom; to provide for penalties for violations and to grant powers of sheriffs on agents in the enforcement of this Act.

was read a third time at length and passed.

Yeas 23; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hale	Manley	
Amari	Denton	Hand	Menton	
Barron	Drinkard	Hilliard	Preuitt	
Cabaniss	Figures	Holmes	Rice	
Campbell	Foshee	Horn	Smith (B)	
Corbett	Goodwin	Langford	Smith (J)	—23

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., H. B. 84, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	deGraffenried	Hale	Menton	
Barron	Denton	Holmes	Rice	
Bedsole	Drinkard	Langford	Smith (B)	
Cabaniss	Figures	Manley	Smith (J)	
Campbell				—16



Nays:

Senators: Amari Corbett

—2

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 84. To amend Sections 11-46-21, 11-46-22, 11-46-24, 11-46-25, 11-46-26, 11-46-27, 11-46-36, 11-46-40, 11-46-51, and 11-43-2, Code of Alabama 1975, relating to municipal elections, so as to establish the dates of municipal elections in certain cities or towns having the mayor-council form of government; and to establish dates and other procedures required in connection with such elections.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Denton	Hale	Manley
Amari	Drinkard	Hand	Menton
Bedsole	Figures	Hilliard	Mitchem
Cabaniss	Foshee	Holmes	Rice
Campbell	Goodwin	Langford	Smith (B)
Corbett			

—20

Nays:

—0

**FURTHER CONSIDERATION OF H. B. 792**

The Senate proceeded to further consideration of the Bill, H. B. 792.

On motion of Senator Corbett, further consideration of the Bill was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., H. B. 86, adopted.

Yeas 17; Nays 1.

Yeas:

Senators:	Campbell	Foshee	Manley
Bailey	deGraffenried	Goodwin	Preuitt
Bedsole	Denton	Hale	Rice
Bennett	Ellis	Hand	Smith (B)
Cabaniss	Figures		

—17

Nay: Senator Corbett

—1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 86. To amend Sections 11-46-92, 11-46-93, 11-46-96, 11-46-97, 11-46-98, 11-46-107, 11-46-111, and 11-46-122, Code of Alabama 1975, relating to municipal elections, so as to establish the dates of municipal elections in certain cities or towns having the commission form of government; and to

establish dates and other procedures required in connection with such elections.

was read a third time at length and passed.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Manley	
Bedsole	deGraffenried	Goodwin	Menton	
Bennett	Denton	Hale	Preuitt	
Cabaniss	Ellis	Hand	Rice	
Campbell	Figures	Hilliard	Smith (B)	—19

*Nays:* —0

### MOTION TO RECESS RECONSIDERED

On motion of Senator Ellis, the Senate reconsidered the vote by which Senator Hilliard's recess motion was adopted.

And on motion of Senator Ellis, said motion was laid on the table.

### MOTION TO RECESS LOST

At. 6:05 P.M., Senator Goodwin moved that the Senate take a recess until 7:05 this evening, which motion was lost.

Yeas 10; Nays 14.

*Yeas:*

Senators:	Corbett	Foshee	Langford	
Bennett	Covington	Goodwin	Parsons	
Campbell	Figures	Hilliard		—10

*Nays:*

Senators:	Denton	Hand	Rice	
Amari	Drinkard	Holmes	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
deGraffenried	Hale	Preuitt		—14

### BUDGET ISOLATION RESOLUTION

Senator Hilliard, B. I. R., H. B. 706, adopted.

Yeas 19; Nays 2.

*Yeas:*

Senators:	Denton	Hale	Manley	
Bedsole	Drinkard	Hand	Preuitt	
Cabaniss	Ellis	Hilliard	Rice	
Covington	Figures	Holmes	Smith (B)	
deGraffenried	Goodwin	Langford	Smith (J)	—19

Nays:

Senators: Amari Bennett

—2

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 706. To amend Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, relating to the practice of podiatry, so as to provide for the powers and authority of the board of podiatry; to provide for the qualifications and examination of applicants for a license to practice podiatry; to prescribe additional conduct which shall be deemed unprofessional; to grant the board of podiatry certain subpoena powers; to provide for the conduct of hearings by the board and to grant members of the board of podiatry and certain other persons civil immunity in certain instances.

was taken up.

Senator Amari offered the following substitute for the Bill, H. B. 706, to-wit:

**SUBSTITUTE FOR H. B. 706**

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, relating to the practice of podiatry, so as to provide for the powers and authority of the board of podiatry; to provide for the qualifications and examination of applicants for a license to practice podiatry; to prescribe additional conduct which shall be deemed unprofessional; to grant the board of podiatry certain subpoena powers; to provide for the conduct of hearings by the board and to grant members of the board of podiatry and certain other members civil immunity in certain instances.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, are hereby amended to read as follows:

“§34-24-252.

“The state board of podiatry shall be the certifying board for podiatrists and shall have the exclusive power and authority to certify and to issue, suspend, revoke and reinstate all licenses or certificates authorizing the licensee to practice podiatry in the state of Alabama, and shall have the authority and it shall be its duty:

“(1) To make all bylaws and all necessary regulations for the proper performance of its duties; To promulgate such rules and regulations for its government as it may deem necessary and proper;

“(2) To provide a standard of efficiency as to the moral, educational and experience qualifications and fitness for all persons who desire to practice podiatry in this state;

“(3) To elect annually one of its members as president, one as vice-president and one as secretary-treasurer, who shall hold their respective

offices for one year and until their successors are elected and qualified. Should a vacancy occur in either of the three offices herein provided for, a special meeting of the board shall be called for the purpose of filling such vacancy for the unexpired term;

“(4) To administer such oaths and take such affidavits as are required by the provisions of this article, certifying thereto under its hand and the seal of the board;

“(5) To assist in the prosecution of violations of this article;

“(6) To appoint or employ a legal adviser or counsel, when deemed necessary, whose compensation, to be fixed by the board, shall be paid in the same manner as the per diem and expenses of the board are paid;

“(7) To adopt a common seal to be affixed to its official documents;

“(8) To keep a record of its proceedings, a register of persons licensed as podiatrists and a register of licenses and certificates by it revoked; and

“(9) To annually, on or before January 1, make a report to the governor of Alabama of all its official acts during the preceding year, and of its receipts and disbursements, and a full and complete report of the condition of podiatry and the practice thereof in this state, and to file duplicate copies of such report with the secretary of state, the state auditor and the Alabama department of archives and history.”

“§34-24-255.

“Every person desiring to commence the practice of podiatry, except as otherwise provided, shall apply to the board and shall pay an application fee as established by the board. The applicant shall thereafter take and pass the standard examination provided in this article and fulfill the other requirements as herein provided. Such applicant must be at least 21 years of age or over, a citizen of the United States and of good moral character, must be a graduate of a recognized college of podiatry recognized by the American Podiatric Medical Association that requires at least two years of collegiate study prior to enrollment therein, must have completed a podiatric residency or preceptorship program approved by the American Podiatric Medical Association or by the state board of podiatry under its rules and regulations, must have successfully passed all parts of the examination given by the National Board of Podiatric Examiners and must be able to pass the standard examination prescribed by the state board of podiatry. Such standard examination shall consist of tests in practical, theoretical and physiological podiatry, in the anatomy and physiology of the human foot, and in pathology as applied to podiatry. Such standard examination shall not be out of keeping with established teachings and adopted textbooks of recognized schools of podiatry. If the applicant satisfactorily passes the examination provided for he shall be issued a license to practice podiatry.”

“§34-24-276.

“A license issued to any person may be suspended for a definite period of time or revoked by the state board of podiatry for any of the following reasons:

“(1) Conviction of any offense involving moral turpitude, in which case the record of conviction or a certified copy thereof certified by the clerk of

the court or by the judge in which court the conviction is had shall be conclusive evidence of such conviction;

“(2) For unprofessional conduct; ‘unprofessional conduct’ shall mean any conduct of a character likely to deceive or defraud the public, lending his license by any licensed podiatrist to any person, the employment of ‘cappers,’ or ‘steerers’ to obtain business, ‘splitting’ or dividing a fee with any person or persons, the obtaining of any fee or compensation by fraud or misrepresentation, employing directly or indirectly any suspended or unlicensed podiatrist to do any professional work, fraudulent or misleading advertising, the by use of any advertising, which does not include a disclaimer required by rules and regulations of the board, carrying the advertising of articles not connected with the profession, the employment of any drugs or medicines in his practice unless authorized to do so by the laws covering the practice of medicine of this state;

“(3) When a license or certificate has been obtained by fraud, deceit or misrepresentation, whether knowingly or unknowingly practiced on the board;

“(4) When the holder of a license or certificate is suffering from a contagious or infectious disease;

“(5) Gross incompetency; or wilful or wanton negligence or repeated negligence in the practice of podiatry;

“(6) Intemperance in the use of intoxicating liquors or narcotics to such an extent as to unfit the holder of the license for the proper practice of podiatry;

“(7) Failure to renew license and pay penalty as prescribed herein;

“(8) Failure to comply with continuing education requirements prescribed herein;

“(9) Violating any rule or regulation promulgated by the board of podiatry; or

“(10) Disciplinary action taken by another state based upon acts by a licensee similar to acts described in this section which results in suspension or revocation of a license or certificate to practice podiatry in another state. A certified copy of the record of the disciplinary action of the state taking such an action shall be conclusive evidence thereof.

“Whenever charges are preferred against any holder of a license, the board shall fix a time and place for the hearing of the same, and a copy of the charges, which must be made in writing, and verified by oath, together with a notice of the time and place where they will be heard and determined, shall be served upon the accused at least 10 days before the date fixed for said hearing. When personal service cannot be effected, the board shall cause to be published at least 30 days prior to the date set for the hearing in a newspaper published in the county in which accused was last known to practice a notice to the effect that at a definite time and place a hearing will be held by the board on charges preferred against said person. The board may issue subpoenas and compel the attendance of witnesses at said hearing and the production of all necessary papers, books and records, documentary evidence and materials or other evidence; the accused shall have the right to be confronted by the person or persons preferring said charges, to cross-examine the witnesses against him, to be represented by counsel and to have the testimony taken down by a stenographer, but the

expense of counsel and stenographer, either or both, shall be borne by the accused. Witnesses at hearings before the board shall testify under oath and may be sworn by any member of the board. In all cases of suspension or revocation of licenses as herein provided for, the holder may appeal to the circuit court, or other court of like jurisdiction, in the county in which the person whose license or certificate is ordered revoked resides.

"Members of the board of podiatry or the members of any committee of podiatrists impaneled by the board, making any report or rendering any opinion or supplying any evidence or information or offering any testimony to the board in connection with a disciplinary investigation or action as authorized in this article shall be immune from suit for any conduct in the course of their official duties with respect to such investigations, actions or hearings."

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Langford	
Amari	Covington	Hale	Parsons	
Bedsole	deGraffenried	Hand	Preuitt	
Bennett	Denton	Hilliard	Smith (B)	
Cabaniss	Drinkard	Holmes	Smith (J)	
Campbell				—20

Nays:

—0

And said Bill, H. B. 706, as thus amended by the substitute, was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Senators:	deGraffenried	Hale	Menton	
Amari	Denton	Hand	Preuitt	
Bedsole	Drinkard	Holmes	Sanders	
Bennett	Ellis	Langford	Smith (B)	
Cabaniss	Figures	Manley	Smith (J)	
Corbett	Goodwin			—21

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 143. To further amend Section 25-5-9, Code of Alabama 1975, as amended, relating to industrial relations and labor, and employers' liabilities for qualifying as self-insurers, so as to provide further therefor, to permit pooling liabilities for reinsurance purposes.

Also:

H. 251. To define and set the punishment for the crimes of: unlawful distribution of controlled substances; unlawful possession or receipt of controlled substances; and unlawful possession of marihuana in the first and second degrees; to amend Code of Alabama 1975, 20-2-71, 20-2-72, 20-2-73; and 20-2-74; to provide for the incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal Code of Alabama 1975, §§20-2-70, 20-2-76, and 20-2-77, and any and all other laws or parts of laws that conflict with this act, insofar as conduct occurring after the effective date of this act is concerned; to provide that this act is supplemental to other laws not inconsistent with this act and shall not be deemed to repeal such laws; to specify the conduct to which this act applies; to provide for severability; and, to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 99. CREATING THE JOINT INTERIM COMMITTEE ON THE DISPOSAL OF SCRAP TIRES.

Also:

H. J. R. 119. CREATING A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY THE STEEL INDUSTRY.

Also:

H. J. R. 207. EXPRESSING THE LEGISLATIVE INTENT OF ACT 81-451.

Also:

H. J. R. 359. MEMORIALIZING THE PRESIDENT AND U. S. CONGRESS TO SUPPORT THE IMPLEMENTATION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE'S AFRICANIZED BEE BARRIER PROPOSAL.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 211. To provide for the sacking and tagging of oysters taken from Alabama waters for commercial purposes; to prohibit the possession of empty oyster sacks with oyster tags attached thereto; to prohibit the sale, purchase or possession of oysters in violation thereof; to prescribe penalties for the violation thereof; and to provide for the purchase of oyster tags from the Department of Conservation and Natural Resources, and the use of the receipts therefrom.

Also:

H. 217. To amend Section 9-12-80, Code of Alabama 1975, relating to seafood license fees for certain nonresidents and boats, so as to change the fees for certain nonresidents and boats for certain seafood licenses in Alabama from double the cost for Alabama residents and boats to the cost charged Alabama residents and boats for a similar license in that state; and to provide that in no event shall said nonresidents and boats pay less than twice the cost for said licenses that Alabama residents pay.

Also:

H. 577. To amend §32-9-2, which exempts cotton wagons from general trailer restrictions so as to also exempt module-movers and to increase the width and length of the trailers and module-movers from eight feet wide and 75 feet long to 10 feet wide and 85 feet long.

Also:

H. 584. To amend Section 2-19-131, providing for certification of the official cotton growers' organization to allow said organization to borrow funds for the purpose of eradicating the boll weevil; to amend Section 2-19-135, providing procedures to be used when assessments are not paid to also declare that assessments constitute a lien which the Commissioner of Agriculture and Industries is authorized to collect.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing



Bills, the titles of which are set out in the foregoing Message from the House.

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 56. Relating to controlled substances; prescribing certain additional penalties for any person convicted of an unlawful sale of a controlled substance on the campus or within a certain radius of the campus boundaries of any private or public school, college, university or other educational institution in this state.

Also:

S. 61. To amend Code of Alabama 1975, §15-5-8 to provide that a search warrant in a case in which the property to be seized includes a controlled substance may be served at night as well as during the day even if the affidavits supporting the warrant do not positively state that the property is on the person or in the place to be searched.

Also:

S. 125. To amend §§40-23-2 and 40-23-35, Code of Alabama 1975, to impose an excise tax on unlawful sales, use and other transactions involving certain drugs or controlled substances, and provide for the disposition of the proceeds of the tax.

Also:

S. 430. To amend further Section 10 of Act No. 497, Regular Session of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, relating to a pension system for officers and employees of Jefferson County, Alabama, so as to increase the benefit formula rate and to provide further for the retirement of certain members of the pension system.

Also:

S. 133. To define, specify principles of liability and defenses for, and prescribe the punishment for the crimes of: criminal solicitation to commit a controlled substance crime, attempt to commit a controlled substance crime, and criminal conspiracy to commit a controlled substance crime; to provide that criminal solicitation, attempt, and criminal conspiracy to commit a controlled substance crime are included offenses in any controlled substance crime that is charged; to specify the conduct to which this act applies; to repeal any conflicting laws; to provide for severability; and to provide an effective date.

Also:

S. 500. To make a supplemental appropriation to the Children's Trust Fund for the operation of said trust, from the general fund of the state treasury, for the fiscal year ending September 30, 1987; providing that no balance of such funds, at the end of the fiscal year, shall revert to the general

fund of the state treasury but shall continue until the said additional appropriation is depleted.

JIM SMITH,  
Chairperson.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 338. To authorize the state board of health to designate and require proper reporting of notifiable diseases; to require reporting of designated notifiable diseases by certain persons and to provide for confidentiality of such reports; to provide for quarantine of certain persons afflicted with a notifiable disease; to require disclosure of certain medical records to the state health officer; to empower the state board of health to investigate and suppress notifiable diseases; to provide for penalties for failure to report notifiable diseases; to require obedience to the lawful orders of health officials regarding notifiable diseases; to require reports of active or suspected active cases of tuberculosis; to provide for commitment, after hearing before the probate judge, or recalcitrant persons infected with tuberculosis; to allow for admission to regional contract tuberculosis hospitals of persons with other types of chronic lung diseases; to provide for treatment by the state board of health of persons infected with tuberculosis; to authorize the state board of health to designate and treat sexually transmitted diseases and to require reporting thereof; to require testing for syphilis of all persons seeking a marriage license; to require sexually transmitted disease serologic testing of all pregnant women and require reporting of positive results; to require testing for designated sexually transmitted diseases of all inmates in correctional facilities and jails and require reporting of positive results; to require confinement, after hearing, of persons with designated sexually transmitted diseases; to remove the disabilities of non-age from minors 12 years or older as to treatment for designated sexually transmitted diseases; to require instruction in measures of preventing designated sexually transmitted diseases; to prescribe the penalty for treating designated sexually transmitted diseases without a license as a physician; to prescribe the penalty for transmitting designated sexually transmitted diseases; to provide for confidentiality of designated sexually transmitted disease records; to require all persons to seek and accept treatment for designated notifiable diseases; to require compulsory testing, treatment and quarantine of persons infected with designated notifiable diseases and who refuse same, after hearing before the probate judge; to prescribe the manner and form of quarantine petitions; to require the probate judge to hear such petitions; to require compulsory attendance at hearings by persons suspected of being infected with designated notifiable disease; to allow for the appointment of attorney and guardian ad litem for

REGULAR SESSION  
29th Day

2093

persons suspected of having designated notifiable disease; to allow commitment hearings in absentia under certain conditions; to specify the findings that the probate judge must make prior to commitment of persons afflicted with designated notifiable disease; to provide for jurisdiction of probate courts; to provide for payment of fees to court appointed attorneys and guardians ad litem; to provide for appeal from commitment orders; and to allow quarantine of inmates suspected of being infected with designated notifiable disease.

Also:

H. 367. To amend Section 32-5-17, Code of Alabama 1975, relating to the certain casting of a light onto certain real property from or with the aid of a motor vehicle, so as to provide for the prohibition of such activity between sunset and sunrise on any real property, to further provide for exceptions, and to further provide for penalties for the violation thereof.

Also:

H. 483. To amend Section 37-6-4 so as to allow a generating or transmission cooperative to use the word "power" in its name in lieu of the words "electric" or "cooperative" and to delete the requirement that the name of distribution cooperatives contain the word "electric."

Also:

H. 628. To provide for the creation of the offenses of theft of property by charitable fraud and charitable fraud; to provide for criminal penalties; and to provide civil remedies to stop or prevent theft of property by charitable fraud and charitable fraud.

Also:

H. 845. Relating to members of the board of registrars of this state; to amend Section 17-4-153, Code of Alabama 1975, relating to the salary of the boards of registrars, to provide that a certain salary shall be paid to each member of a board of registrars for each day's attendance upon business of the board; to provide that the said salary plus the employer share of the social security or Federal Insurance Corporation Act tax shall be paid to the county commissions and the salary shall be disbursed by the county commissions to each member of a board of registrars; to provide for the reimbursement of travel and other expenses to the county commissions based on a written request submitted to the state comptroller; to state the legislative intent of this act; to provide that such members of the boards of registrars of this state shall be treated as other state and county employees are treated for social security purposes; to direct that the state office for social security and the state comptroller and each county commission shall take all necessary action to insure that such board members are treated as other state and county employees in regard to social security protection and benefits as provided in Chapter 28 of Title 36 of the Code of Alabama, including, if necessary, amending the federal-state agreement referred to in said Chapter 28 of Title 36 of the Code of Alabama; to provide for the repeal of inconsistent laws or parts of laws; to provide for the severability of this act; and to provide the manner in which this bill becomes law.

JOHN W. PEMBERTON,  
Clerk.

## SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

## BUDGET ISOLATION RESOLUTION

Senator Bedsole, B. I. R., H. B. 207, adopted.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Denton	Hale	Menton	
Bennett	Drinkard	Hand	Preuitt	
Cabaniss	Ellis	Hilliard	Sanders	
Campbell	Figures	Holmes	Smith (B)	
deGraffenried	Foshee	Langford		—18

*Nay:* Senator Amari —1

## BILLS ON THIRD READING RESUMED

## THE BILL:

H. 207. To make a conditional appropriation to the Louisiana, Mississippi, Alabama Rapid Rail Transit Commission, payable from the general or other fund of the state treasury, effective on October 1, 1987, or thereafter.

was read a third time at length and passed.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Langford	
Amari	deGraffenried	Goodwin	Menton	
Bennett	Denton	Hale	Preuitt	
Cabaniss	Drinkard	Hand	Sanders	
Campbell	Ellis	Hilliard	Smith (B)	
Corbett	Figures	Holmes		—22

*Nays:* —0

## BUDGET ISOLATION RESOLUTION

Senator Corbett, B. I. R., H. B. 599, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hale	Menton	
Bedsole	Denton	Hand	Preuitt	
Bennett	Drinkard	Holmes	Sanders	
Cabaniss	Ellis	Langford	Smith (B)	
Campbell	Goodwin	Manley	Smith (J)	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 599. To create the Police Officer's and Firefighter's Survivor Educational Act; to provide for tuition assistance and other costs for an undergraduate student in a state college, community college, junior college, technical college or state university who is the dependent child, or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to provide that the Alabama Commission on Higher Education shall administer the provisions of the act; to create the Tuition Eligibility Board and provides for membership; to make an appropriation; and to repeal Sections 36-21-95 through 36-21-99, Code of Alabama 1975, the Policeman's Survivor Tuition Act.

was read a third time at length and passed.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Corbett	Figures	Menton
Bailey	Covington	Goodwin	Preuitt
Bedsole	deGraffenried	Hale	Sanders
Bennett	Denton	Hand	Smith (B)
Cabaniss	Drinkard	Holmes	Smith (J)
Campbell	Ellis	Manley	

—22

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., H. B. 576, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Campbell	Goodwin	Manley
Bailey	Covington	Hale	Menton
Bedsole	deGraffenried	Hand	Preuitt
Bennett	Denton	Holmes	Sanders
Cabaniss	Ellis	Langford	Smith (J)

—19

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 576. To amend §32-9-26, which exempts four-wheel, two-axle trailers with the weight of the trailer and load, not to exceed 10,000 pounds, used in farming from restrictions against use of trailers on the highways so as to allow from two to eight wheels and from one to four axles and a weight limit of not more than 36,000 pounds or no more than 10,000 pounds per axle, whichever is less; to amend §32-9-27, which requires those trailers exempted under 32-9-26 to carry reflectors and not be over eight feet in width and 65 feet in length, to allow the trailer to be up to 10 feet in width and no more than 76 feet in length with a one-foot overhang on each side of the trailer allowed for hauling round bales of hay.

was read a third time at length and passed.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Langford	
Bailey	Covington	Goodwin	Manley	
Bedsole	deGraffenried	Hale	Menton	
Bennett	Denton	Hand	Preuitt	
Cabaniss	Ellis	Holmes	Sanders	
Campbell				—20

*Nays:* —0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 321. To clarify and extend the authority of city and county boards of education to manage the public schools over which they have legal responsibility.

JOHN W. PEMBERTON,  
Clerk.

### BUDGET ISOLATION RESOLUTION

Senator Hale, B. I. R., H. B. 401, adopted.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Campbell	Ellis	Manley	
Bailey	Covington	Goodwin	Menton	
Bedsole	deGraffenried	Hale	Sanders	
Bennett	Denton	Hand	Smith (J)	
Cabaniss	Dial	Langford		—18

*Nay:* Senator Corbett —1

### BILLS ON THIRD READING RESUMED

THE BILL:

H. 401. To amend Section 41-16-120, Code of Alabama 1975, which section relates to sales of surplus state property by the surplus property division of the department of economic and community affairs, so as to provide for a 30 day period of payment by those legal entities named in subsection (e) which purchase surplus property, and to allow non-profit corporations to purchase such property, provided the federal surplus property purchasing guidelines are followed.

was read a third time at length and passed.

REGULAR SESSION  
29th Day

2097

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Menton
Bedsole	Covington	Goodwin	Sanders
Bennett	deGraffenried	Hale	Smith (B)
Cabaniss	Denton	Langford	Smith (J)
Campbell	Dial	Manley	

—18

*Nays:* —0

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly engrossed, to-wit:

S. J. R. 94. CONTINUING THE JOINT GOVERNOR'S-LEGISLATIVE TASK FORCE ON CHILD DAY CARE.

JIM SMITH,  
Chairperson.

**BUDGET ISOLATION RESOLUTION**

Senator Denton, B. I. R., H. B. 650, adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Covington	Goodwin	Menton
Bedsole	deGraffenried	Hand	Sanders
Bennett	Denton	Holmes	Smith (B)
Cabaniss	Dial	Langford	Smith (J)
Campbell	Ellis		

—17

*Nay:* Senator Corbett —1

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 650. To amend Sections 41-9-782 and 41-9-783 of the Code of Alabama 1975 relating to the Tennessee Valley Exhibit Commission in order to clarify the authority of said commission with respect to the issuance of revenue obligations and to make a limited appropriation and pledge for the benefit of certain of such revenue obligations of certain moneys retained by the State of Alabama from in-lieu-of-taxes payments made by the Tennessee Valley Authority.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Manley	
Bennett	deGraffenried	Hale	Menton	
Cabaniss	Denton	Hand	Preuitt	
Campbell	Dial	Holmes	Sanders	
Corbett	Ellis	Langford	Smith (J)	—19

Nays:

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 207. To amend §34-24-75 by deleting the provision permitting the issuance of a certificate of qualification for license to practice medicine to a commissioned officer of the medical corps of the army, navy, the air force or the public health service of the United States.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 490. Renaming the Plumbers Examining Board established by Act No. 529 of the 1949 Regular Session of the Legislature (Acts 1949, p. 827), as amended; continuing the existence of such board; authorizing such board to exercise certain statewide licensing authority over plumbers and gas fitters; defining certain terms relating to plumbing and gas fitting as used in this act; prescribing procedures for appointing successors to the current members of such board; prescribing regulations relative to the scope of authority of local and state licenses issued to plumbers and gas fitters; prescribing procedures for the testing and licensing of plumbers and gas fitters under this act; providing for the compensation and expenses of the members of such board and its hired or contracted employees; authorizing such board to adopt a fee schedule; prescribing procedures for revoking licenses; authorizing such board to enter into certain reciprocity agreements with other states; prescribing penalty for violation of this act and providing for supplemental effect.

JOHN W. PEMBERTON,  
Clerk.

**FURTHER CONSIDERATION OF H. B. 233**

The Senate proceeded to further consideration of the Bill, H. B. 233. The question was on the B. I. R.

On motion of Senator Figures, further consideration of the B. I. R. and the Bill was postponed temporarily.



**FURTHER CONSIDERATION OF H. B. 876**

The Senate proceeded to further consideration of the Bill, H. B. 876. The question was on the Committee amendment.

Which was adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Langford	
Bedsole	deGraffenried	Goodwin	Menton	
Cabaniss	Denton	Hale	Preuitt	
Campbell	Dial	Hand	Rice	
Corbett	Ellis	Holmes	Smith (J)	—19

*Nays:* —0

And said Bill, H. B. 876, as thus amended, was read a third time at length and passed.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Manley	
Bailey	Covington	Hale	Menton	
Bedsole	deGraffenried	Hand	Preuitt	
Cabaniss	Denton	Holmes	Rice	
Campbell	Ellis	Langford	Smith (J)	—19

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 250. To amend Sections 7-9-307, 7-9-402, 7-9-403, 7-9-404, and 7-9-407, Code of Alabama, 1975, to create the Uniform Commercial Code and Farm Products Central Index System Fund, to provide for fees relating to farm products and Uniform Commercial Code, to increase the amendatory statement filing fee, to increase the uniform fee for filing an original financing statement so as to include the termination fee, to discontinue the uniform fee for filing and indexing a termination statement for original financing statements filed after October 1, 1987, to empower the Secretary of State to set fees and charge for distributing microfilm reels containing copies of effective financing statements, to empower the Secretary of State to charge a fee for monthly partial listings of the master list of farm products registrants, and to increase the fee for a search certificate, and authorizes the Secretary of State to promulgate regulations and set reasonable fees related to implementation of a central index system and to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.

was taken up.

On motion of Senator Covington, further consideration of the Bill was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Denton, B. I. R., H. B. 814, adopted.

Yeas 21; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Preuitt	
Bedsole	Denton	Holmes	Rice	
Bennett	Dial	Langford	Smith (J)	
Cabaniss	Ellis			—21

Nays:

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 814. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Preuitt	
Bedsole	Denton	Holmes	Rice	
Bennett	Dial	Horn	Smith (B)	
Cabaniss	Drinkard	Langford	Smith (J)	
Campbell	Ellis			—25

Nays:

—0

**FURTHER CONSIDERATION OF H. B. 904**

The Senate proceeded to further consideration of the Bill, H. B. 904.

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 904, adopted.

Yeas 25; Nays 1.

Yeas:

Senators:	Covington	Goodwin	Manley	
Bailey	deGraffenried	Hale	Menton	
Barron	Denton	Hand	Preuitt	
Bedsole	Dial	Holmes	Rice	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	
Campbell	Foshee			—25

Nay: Senator Amari

—1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 904. To provide that the Lieutenant Governor's office shall be separate and distinct; to provide for the appointment and compensation of the personnel of the Lieutenant Governor's office; and to authorize the Lieutenant Governor to purchase equipment, supplies and services and to approve personnel business travel.

having been postponed subject to the call of the Chair on the Twenty-Eighth Legislative Day, was taken up.

And said Bill, H. B. 904, was read a third time at length and passed.

Yeas 26; Nays 2.

Abstaining 1.

*Yeas:*

Senators:	Covington	Goodwin	Menton	
Bailey	deGraffenried	Hale	Parsons	
Barron	Denton	Hand	Preuitt	
Bedsole	Dial	Holmes	Rice	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	
Campbell	Foshee	Manley		—26

*Nays:*

Senators:	Amari	Corbett	—2
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<i>Abstaining:</i> Senator Figures	—1
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**BUDGET ISOLATION RESOLUTION**

Senator Denton, B. I. R., H. B. 815, adopted.

Yeas 24; Nays 1.

*Yeas:*

Senators:	Denton	Goodwin	Manley	
Bailey	Dial	Hale	Menton	
Barron	Drinkard	Hand	Preuitt	
Bedsole	Ellis	Holmes	Rice	
Bennett	Figures	Horn	Smith (B)	
Campbell	Foshee	Langford	Smith (J)	
deGraffenried				—24

<i>Nay:</i> Senator Amari	—1
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**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 815. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and

industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a nonprofit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

was read a third time at length and passed.

Yeas 30; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Menton	
Amari	Covington	Goodwin	Parsons	
Bailey	deGraffenried	Hale	Preuitt	
Barron	Denton	Hand	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	
Campbell	Figures	Manley		—30

*Nays:*

—0

## RESOLUTION

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 197. COMMENDING THE VOLUNTEER SUPPORTERS OF THE 1987 CHILDREN'S MIRACLE NETWORK TELETHON.

Which was filed.

## BUDGET ISOLATION RESOLUTION

Senator Parsons, B. I. R., H. B. 821, adopted.

Yeas 22; Nays 2.

*Yeas:*

Senators:	Covington	Figures	Langford	
Bailey	deGraffenried	Foshee	Manley	
Bedsole	Denton	Goodwin	Menton	
Bennett	Dial	Hale	Rice	
Cabaniss	Drinkard	Hand	Smith (B)	
Campbell	Ellis	Horn		—22

REGULAR SESSION  
29th Day

2103

Nays:

Senators:

Amari

Corbett

—2

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 821. To provide additional funding for domestic violence shelters by amending Sections 30-6-6 and 30-6-11 Code of Alabama 1975, as last amended, to delete the limitation on the maximum available to each domestic violence facility, and re-designate the following subsection as subsection (e); to increase the additional fee for marriage licenses provided for therein by \$10.00, from \$5.00 to \$15.00; and to remove language in Section 30-6-11 in which refers to a time period which has already passed.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 821, to-wit:

**AMENDMENT TO H. B. 821**

Amend House Bill 821 in the Synopsis, Page 1, Line 10, after the word "to" on line 9 by striking the following: "~~delete~~" and inserting in lieu thereof the following: "increase".

Further amend House Bill 821 in the Title, Page 1, Line 23, after the word "to" by striking the following: "~~delete~~" and inserting in lieu thereof the following: "increase".

Further amend House Bill 821, Section 1, Page 3, Lines 4 and 5, by inserting new paragraph as follows:

"(e) No individual facility shall receive a total amount in excess of \$125,000.00 annually."

Renumber the following paragraph (f)

Further amend House Bill 821, Section 2, Page 3, Lines 27 and 28, after the word "purposes" by striking the following: "~~of law enforcement related to abuse as defined by this chapter.~~" and inserting in lieu thereof the following:

"of establishing, maintaining and/or founding of abuse shelters."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Senators:  
Bailey  
Bedsole  
Bennett  
Cabaniss  
Campbell

Covington  
deGraffenried  
Denton  
Drinkard  
Ellis  
Goodwin

Hale  
Hand  
Holmes  
Horn  
Langford

Manley  
Menton  
Parsons  
Rice  
Smith (B)

—21

Nays:

—0

And said Bill, H. B. 821, as thus amended, was read a third time at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Senators:	Campbell	Figures	Manley
Amari	Corbett	Goodwin	Menton
Bailey	Covington	Hale	Parsons
Barron	deGraffenried	Hand	Rice
Bedsole	Dial	Horn	Smith (B)
Bennett	Ellis	Langford	Smith (J)
Cabaniss			

—24

*Nays:*

—0

### REPORT OF CONFERENCE COMMITTEE SENATE BILL 284

We, the Committee of Conference, appointed to reconcile the differences of the two houses concerning Senate Bill 284 have met in conference and have agreed to accept the changes in the attached substitute.

EARL HILLIARD,  
JIM BENNETT,  
FRED HORN,

Senate Conferees.

LEWIS G. SPRATT,  
GEORGE PERDUE,  
GARY WHITE,

House Conferees.

### SUBSTITUTE FOR S. B. 284, AS LAST AMENDED

#### A BILL TO BE ENTITLED AN ACT

To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from six qualified candidates unless the appointing authority shall request the three ranking eligibles only.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 18 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), be, and the same is hereby further amended so as to read as follows:

"Section 18. Appointments. Vacancies in the classified service shall be filled either by transfer, promotion, appointment, reappointment or demotion. Whenever a vacancy in an existing position is to be filled by appointment the appointing authority shall submit to the director a statement of the title of the position, and if requested by the director to do so, the duties of the position and desired qualifications of the person to be appointed, and a

request that the director certify to him the names of persons eligible for appointment to the position. The director shall thereupon certify to the appointing authority the names of the three ranking eligibles from the most appropriate register, and if more than one vacancy is to be filled the name of one additional eligible for each additional vacancy, or all the names on the register if there are fewer than three. When the vacancy for which the appointing authority has requested a list of eligibles is that of a department head, the director shall certify to the appointing authority, for its selection, the names of all six qualified candidates who apply, unless the appointing authority shall have requested the names of the three ranking eligibles only.

The director shall, upon the request of the appointing authority, add to any such certification for employment the name of any person who is certified by the director of the division of rehabilitation and crippled children of the state department of education, as being eligible for rehabilitation services, or who is certified by a physician duly licensed to practice medicine in the State of Alabama to have a permanent neurological, muscular, skeletal or other physical impairment rendering such person unable to transport himself from place to place in a normal manner without the use of transportive devices such as a wheelchair or supportive devices such as braces, crutches, or both; but the director may nevertheless not give preference in certification for employment to any handicapped person if he finds such person is physically or otherwise unfit to perform effectively the duties of the position in which he or she seeks employment. The personnel board shall adopt appropriate rules and regulations governing all appointments to vacancies in the classified service to the end that such rules shall comply with the law and serve the public interest. In the event that a jurisdiction accepts and utilizes Federal funds for the creation of public employment opportunities, such positions when budgeted on a full time basis for twelve months, shall be treated as any other regular position in the classified service. Should the applicable Federal regulations controlling the use of such funds prescribe the unusual or exceptional prerequisites for employment in said program, the director subject to approval of the board, may prescribe the manner in which the position shall be filled and related conditions of employment. If it should prove impossible to locate any of the persons so certified or should it become known to the director that any person is not willing to accept the position, the appointing authority may request that additional names be certified. Within ten days after such names are certified the appointing authority shall appoint one of those whose names are certified to each vacancy which he is to fill. When a new position is created by the governing body the appointing authority shall notify the director of the duties of the position and the desired qualifications of the person to be appointed. If there is no appropriate eligible list from which certification can be made, the director shall establish such a list within forty-five days after receipt of the request and no provisional appointment shall be authorized within that time except with the unanimous approval of the board. The appointing authority shall report to the director the name of the person appointed, the effective date of appointment, and such other information as may be required. The names of the remaining eligibles certified shall be returned to the eligible list for certification to the next vacancy which may occur. The name of an eligible may be removed from the eligible list after it has been certified and refused three times. All appointments shall be made for a probationary period of twelve months. During such period the appointing authority may remove an appointee upon filing with the director, in writing, his reasons for such action which action shall not be reviewable. After the expiration of the probationary period the employees shall have earned permanent status subject to the provisions of this subdivision as to removals, suspensions and changes. No persons shall

be appointed under any title not appropriate to the duties of the position to which he is appointed except by the consent of the director. When the position to be filled involves fiduciary or financial responsibility or law enforcement, the appointing power or the board may require the applicant to furnish a reasonable bond or other security in an amount and form to be fixed by the appointing authority subject to the approval of the board provided that where the amount and terms of such bonds are now prescribed by law, such provision of law shall remain in effect. Said bond or security shall be approved by the appointing power and kept by it and conditioned as it prescribes unless otherwise now provided by law. The appointing authority in all cases not excepted or exempted under the provisions of this subdivision or the constitution of the state shall fill positions in the county or municipalities therein, by appointment, including cases of transfer, reinstatement, promotions and demotions, in strict accordance with the provisions of this subdivision and the rules and regulations prescribed from time to time hereunder and not otherwise. In the event an appointing authority fails or refuses to fill a vacancy in an existing position from a certified list of eligibles the director may refuse to certify the payroll, voucher or account of any ineligible person found to be performing the duties of said position. When there is no eligible list from which a vacancy in an existing position may be filled, the director may certify to the appointing authority the names of all persons who have filed notice of their intention to take an examination appropriate to the position, and who after investigation appear to have had experience or training which qualify them for the position, and a provisional appointment from among the number may be made by the appointing authority pending the establishment of an eligible list. No provisional appointment shall be continued for a period of over ten days after the establishment of an eligible list and in no event shall be continued for a longer period than four months. During present war emergency period the director may, in the absence of any appropriate eligible list, authorize a limited tenure appointment without examination. Such appointment shall be for not longer than the duration of the present war emergency plus six months, and shall give persons so appointed no status in the Classified Service by reason of such duration appointment."

Section 2. That Section 20 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), be, and the same is hereby further amended so as to read as follows:

"Section 20. Promotions. With the discretion of the director of personnel, vacancies in positions shall be filled, in so far as practicable by promotion from among employees holding positions in the classified service. Promotions shall be based upon merit and competition and upon the superior qualifications of the person promoted as shown by his records of efficiency. Upon receipt of a Requisition for Certification from an Appointing Authority, the Director shall thereupon certify, to the Appointing Authority, the names of the three ranking eligibles from the most appropriate register, and if more than one vacancy is to be filled, the name of one additional eligible for each additional vacancy. When the vacancy for which the appointing authority has requested a list of eligibles is that of a department head, the director shall certify to the appointing authority, for its selection, the names of all six qualified candidates who apply, unless the appointing authority shall have requested the names of the three ranking eligibles only. However, in case of a vacancy in a position which requires peculiar and particular training and experience which, in the judgment of the board, may be properly acquired in the office of department in which the vacancy exists but not elsewhere, and it can be shown to the satisfaction of the board that there is in such



office of department an employee who was regularly appointed and who is serving in a lower or different class or position following regular appointment, and whose familiarity with the duties of the position vacant and whose ascertained merit in performing or assisting in such work make it desirable for the best interests of the service to suspend competition, the board may, after a public hearing, approve the promotion of such employee, either without examination or with such tests or evidence of fitness as the board may see fit to require. Notice of the public hearing held under this section shall be given by mailing or delivering a copy of the notice to each governing body and/or appointing authority and/or department head affected, and by posting a copy of said notice publicly in the office of the board for at least three days prior to said hearing. All such cases shall be fully set forth in the minutes of the board. No suspension of competition for promotion authorized under this section shall be general in its application to such place or position and all such cases of suspension with the reasons for such action in each case shall be reported to the citizens supervisory commission at its next regular meeting. When promotional examinations are given, all employees who attain a passing grade shall have added to that grade one point for each year of service up to and including twenty years, irrespective of whether such service is continuous or not."

Section 3. Severability. If, for any reason, any clause, sentence, subsection or section, or any provision of this Act, or the application thereto to any person, body, situation or circumstance is held invalid or inoperative, the remainder of this Act and the application thereof to any other person, body, situation or circumstance shall not be affected thereby.

Section 4. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

### CONFERENCE REPORT

On motion of Senator Bennett, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 284. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from seven qualified candidates unless the appointing authority shall request the three ranking eligibles only.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Denton	Goodwin	Parsons
Amari	Dial	Hale	Preuitt
Bailey	Dixon	Hand	Rice
Barron	Drinkard	Hilliard	Sanders
Bedford	Ellis	Holmes	Smith (B)
Bennett	Figures	Horn	Smith (J)
Cabaniss	Foshee		

—25

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Menton, B. I. R., H. B. 386, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	deGraffenried	Hale	Langford	
Bennett	Denton	Hand	Menton	
Cabaniss	Ellis	Holmes	Rice	
Campbell	Goodwin	Horn	Smith (J)	
Covington				—16

*Nays:*

Senators:	Corbett	Parsons		—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 386. To provide that the punishment for second degree rape be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-62(b) accordingly; to provide that the punishment for second degree sodomy be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-64(b) accordingly; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Figures	Langford	
Amari	Covington	Goodwin	Menton	
Bedsole	deGraffenried	Hale	Rice	
Cabaniss	Denton	Hand	Smith (J)	
Campbell	Ellis	Holmes		—18

*Nays:*

—0

**BUDGET ISOLATION RESOLUTION**

Senator Corbett, B. I. R., H. B. 471, adopted.

Yeas 16; Nays 3.

*Yeas:*

Senators:	deGraffenried	Hale	Manley	
Bedsole	Denton	Hand	Menton	
Cabaniss	Ellis	Holmes	Rice	
Campbell	Goodwin	Langford	Smith (J)	
Covington				—16

Nays:

Senators:           Amari                   Corbett                   Parsons                   —3

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 471. To provide for confidential communications between victims and victim counselors disclosed during the course of treatment for any emotional or psychological effects of a sexual assault or family violence.

was taken up.

The Standing Committee on Health reported the following amendment to the Bill, H. B. 471, to-wit:

**AMENDMENT TO H. B. 471**

House bill 471 is amended by adding to section 2 at page 4 line 16 the following sub-paragraph (h):

(h) Nothing in this act shall be construed to permit a victim counselor to administer or prescribe drugs in any form, or in any manner to engage in the practice of medicine as defined by the laws of this State or to engage in any act or to perform any service which act or service requires a license as described in chapters 8A, 21, 24, 26, or 30 of Title 34, Code of Alabama, 1975, unless such victim counselor is duly licensed by the appropriate licensing agency. Nothing in this act shall be construed to enlarge or expand the scope of practice of any of the licensed professions or occupations enumerated above by virtue of an individual being designated as or holding the position of victim counselor.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Menton	
Amari	Campbell	Foshee	Parsons	
Bailey	Corbett	Goodwin	Smith (B)	
Bedsole	Covington	Hale	Smith (J)	
Bennett	deGraffenried	Langford		—18

Nays: —0

On motion of Senator Corbett, further consideration of the Bill, H. B. 471, as amended, was postponed subject to the call of the Chair.

**REPORTS OF COMMITTEES RESUMED**

Senator Preuit, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Moon, Marks, Hettinger, and Seibels:

H. 274. To amend section 36-19-3, Code of Alabama 1975, which relates to the duties and obligations of persons deemed assistants to the fire marshal,

so as to exempt said persons from liability for civil damages as a result of their acts or omissions in performing such duties and obligations.

By Rep. Venable:

H. 721. To amend Section 35-10-8, Code of Alabama 1975, relating to how notices of mortgage foreclosure sales are made, so as to provide how the notice of sale is made when there is no newspaper published in the county.

By Reps. Marks, Drake, Dillard, Hamilton, Richardson, and Logan:

H. 907. To amend Section 20-2-90 of the Code of Alabama 1975, which relates to the enforcement of the Alabama Uniform Controlled Substances Act, so as to give officers of the alcoholic beverage control board certain powers in regard thereto.

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Melton (With Notice and Proof):

H. 687. Relating to Tuscaloosa County; to grant the West Tuscaloosa Community Health Center, Inc. the same rights, privileges and powers granted to Medical Clinic Boards established pursuant of Sections 11-58-1 et seq of the Code of Alabama 1975, and to Nonprofit Corporations established pursuant to 10-3A-1 et seq of the Code of Alabama 1975.

By Rep. Holley (With Notice and Proof):

H. 1108. To alter or rearrange the boundary lines of the City of Enterprise, Coffee County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Coffee County, Alabama.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Mathis (With Notice and Proof):

H. 851. Relating to Geneva County; providing for election of the members of the county commission from certain defined districts and prescribing the manner by which such districts shall hereafter be defined for purposes of electing such members.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Carothers, Beasley, and Mathis (With Notice and Proof) (With Amendment):

H. 1112. Relating to Houston County; amending Act No. 84-578, H. 734, 1984 Regular Session, which established the civil service system for Houston County, so as to provide further for administration of the system.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Knight and Hill (With Notice and Proof):

H. 1001. Relating to Shelby County, to amend Act 82-693, 1982 2nd Special Session (Acts of Alabama for the 1st, 2nd, 3rd Special Sessions of 1982, p. 144) as amended, so as to remove the requirement that members of the Shelby County Planning Commission shall be a free-holder in the county.

By Reps. Hill and Knight (With Notice and Proof):

H. 1002. To alter and rearrange the boundaries of the city of Helena in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

By Rep. Blake (With Notice and Proof):

H. 998. Relating to St. Clair County; to amend Section 1 of Act No. 80-280, S. 459, 1980 Regular Session (Acts 1980, p. 394), which provides for the hiring of certain personnel in the office of the sheriff in said county and prescribing salaries for such personnel, so as to provide further for the hiring of additional deputies and compensation.

By Reps. Knight and Hill (With Notice and Proof):

H. 1000. To alter and rearrange the boundaries of the city of Pelham in Shelby County, so as to exclude and include certain territory from the corporate limits of the city.

By Reps. Knight and Hill (With Notice and Proof):

H. 1064. To levy a lodgings tax in Shelby County, to provide for the collection and distribution of said tax, and to provide that the net proceeds of said tax shall be used exclusively for the support and promotion of tourism and industry in Shelby County.

By Reps. Marks and Parker (With Notice and Proof):

H. 1117. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Payne (With Notice and Proof):

H. 629. Relating to Jefferson County; to amend section 4 of Act 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pp. 717-739) as heretofore amended, by adding a subsection (e) to said section 4; said subsection (e) to provide that any person serving as an

employee or an officer of the county and who has and been a member of the pension system, meeting certain requirements and under certain circumstances, may convert all or part of any unpaid membership time to paid membership time in the pension system; to authorize the pension board of the general retirement system for employees of Jefferson County to promulgate rules and regulations to implement the provisions of this subsection (e).

Senator Dial, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Hogan:

H. 844. To allow United States retired military persons to purchase distinctive motor vehicle license plates or tags; to prohibit the transfer of such plates; to prescribe the manner of charging for such license plates or tags; and to provide for the duties and powers of the commissioner of revenue, the probate judge or license commissioner.

By Rep. Laird:

H. 222. To amend Sections 37-6-2 and 37-6-3, Code of Alabama 1975, to provide that electric cooperatives incorporated under Chapter 6 of Title 37 may provide television reception services, including programming. To clarify the power of cooperatives to condemn property devoted to public use and to provide for indemnification of trustees, directors, officers, employees or agents of a cooperative or serving at the request of the cooperative in such capacity with another entity from liability and expenses of defense in connection with any civil, criminal, administrative or investigative proceeding if such person acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interest of the cooperative or other entity or, in connection with criminal actions, if he had no reasonable cause to believe his conduct was unlawful, to provide that such indemnification shall not be made if a person is adjudged to be liable for negligence or misconduct unless the relevant court shall determine that such person should fairly and reasonably be entitled to indemnification, to establish the procedures to be followed in determining that indemnification of such a person is proper in the circumstances and that he has met the required standard of conduct, to provide for advance payment of expenses of defense, to provide that such indemnification rights are not exclusive of any other rights to which a person may be entitled and to authorize a cooperative to purchase insurance covering liabilities asserted against such persons.

By Rep. Turner:

H. 598. To amend Section 37-3-4 of the Code of Alabama 1975, relating to motor vehicle carriers, so as to exempt certain trucks and trailers from the regulatory provisions of the "Alabama Motor Carrier Act."

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. White (F):

H. 329. To provide for the establishment of a working capital fund from which to pay claims against the State Highway Department's self-insurance program (provided for in Section 23-1-41, Code of Alabama, 1975,

as amended), in the event that the Director of the Highway Department with the approval of the Governor elects to administer this program with Highway Department personnel. Also, to provide procedures for the establishment and operation of said working capital fund.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Kennedy (With Substitute):

H. 771. To require the state to provide subsidized child day care services for eligible children and to make a conditional appropriation of \$6,300,000.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Butler:

H. 809. To amend section 6-5-332.1, Code of Alabama 1975, relating to the granting of civil immunity to persons assisting or advising as to the mitigation of the effects of hazardous materials, so as to grant civil immunity to hazardous material handling teams operated by the state or a county, municipality or other political subdivision.

By Reps. White (L) and Johnson (RG):

H. 832. To provide for a voluntary check-off designation on state individual income tax returns or supplemental schedules, for the 1988 tax year and each year thereafter for the Alabama Veterans' Nursing Home Program; to provide the form for such designation; to provide for the crediting to the Department of Veterans' Affairs of the total amount designated for nursing home and health care services for aged and disabled veterans in Alabama; and to provide for an effective date.

By Rep. Ford:

H. 1034. To make a supplemental appropriation of \$68,500 from the Alabama Credit Union Administration Fund to the Alabama Credit Union Administration for the fiscal year ending September 30, 1987.

By Rep. Harper:

H. 1125. To make an appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1126. To make an appropriation from the Alabama Special Educational Trust Fund to the Eye Injury Register for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1139. To make an appropriation from the Alabama Special Educational Trust Fund and the State General Fund for the fiscal year 1987-88, for the use of a sickle cell education program, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1140. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1141. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1988, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1128. To make an appropriation from the Alabama Special Educational Trust Fund to the Davis Theater for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 1127. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the Network of Alabama Academic Libraries for the fiscal year 1987-88, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Preuit, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Hooper, Gaston, Clark (J), Laird, Harper, McKee, Higginbotham, and Flowers:

H. 431. To limit the amounts of judgments rendered against employees, officers, officials and servants of governmental entities as defined herein as a result of acts committed within the line and scope of their employment, and to limit such judgments to recovery for those acts involving willful or wanton conduct.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Richardson:

H. 13. To amend Sections 32-8-2 and 32-8-87 of the Uniform Certificate of Title and Antitheft Act so as to define the terms "scrap metal processor" and "scrap vehicle," to provide further for the persons who must mail certain certificates to the Department of Revenue when a vehicle is scrapped,



dismantled, destroyed or changed, to alter the time period when certain documents must be delivered to the Department of Revenue; to remove the requirement that the vehicle's identification number plates and license plate(s) must be returned to the Department of Revenue in certain instances when the vehicle is changed or is damaged to a certain extent or when total loss or salvage has occurred or total loss due to theft of the vehicle has occurred; to remove the requirement that the title of a rebuilt motor vehicle must be stamped rebuilt in certain instances; to reduce the criminal penalty imposed against certain persons for possessing a motor vehicle which is junk or salvage or a total loss when certain identification has been removed; to reduce the criminal penalty imposed against any person who shall authorize, direct, aid in or consent to the possession, sale or exchange or offer to sell, exchange or give away certain certificates or forms of identification of a motor vehicle which has been scrapped, dismantled or sold as junk or salvage or as a total loss; and to remove owners of scrap metal processing plants from the provision providing that it shall be unlawful for certain owners to have in their possession any motor vehicle which is junk, salvage or a total loss when certain identification has been removed.

By Reps. Junkins, Blake, Layson, Marks, and Turnham:

H. 32. To create a State Publications Depository Program for maximum availability and distribution of state publications to the public; to establish the Alabama Publications Clearinghouse, as a division of the Alabama Public Library Service, and to provide for its operations, duties and authority; to authorize the Alabama Public Library Service to make and implement reasonable rules and regulations; to establish the Advisory Council for the State Publications Depository Program and to provide for the membership, terms, duties, qualifications and powers; to define the duties and powers of the Alabama Department of Archives and History relative to the depository program for state publications and the distribution of microform products; to require each state agency to designate a publications officer from among its staff and to notify the said clearinghouse of the designee, and to provide certain state publications and related information; to provide for the criteria and eligibility of depositories, including the United States government depository libraries; to provide that funding be from appropriations made to the use of the Alabama Public Library Service; to provide for the said service to make reimbursement of certain reasonable costs of producing microforms by the Department of Archives and History; to repeal section 41-6-12, Code of Alabama 1975, as amended, which requires the printing of 250 additional copies of state publications for use by the Department of Archives and History.

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Petelos:

H. 638. To provide an exemption from the competitive bid law for municipalities acting pursuant to the authority granted by Act #105 of the 1971 3rd Special Session of the Alabama Legislature.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Wright:

H. J. R. 441. COMMENDING SHAREE DELLYNNE KEMP OF DORA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

By Reps. Cosby, Thomas, and Bryant:

H. J. R. 446. COMMENDING THE HISTORIC BYRD SCHOOL ODYSSEY OF THE MIND TEAM.

Also:

By Reps. Cosby, Thomas, and Bryant:

H. J. R. 447. COMMENDING THE MEADOWVIEW/EAST END ODYSSEY OF THE MIND TEAM.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 441, 446, and 447, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Holmes, Buskey (JL), Buskey (JE), Reed, Kennedy, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 439. MOURNING THE DEATH OF ROBERT DAVID ROLLINS OF MONTGOMERY, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 439, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Grayson:

H. J. R. 435. COMMENDING THE ROBERT WESLEY AND EDNA WHITE PITTS FAMILY.

Also:

By Rep. Grayson:

H. J. R. 436. COMMENDING THE AARON AND MAMIE FRANKLIN FAMILY.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 435 and 436, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Penry and McMillan:

H. J. R. 422. RECOGNIZING THE SERVICE CORPS OF RETIRED EXECUTIVES FOR OUTSTANDING CONTRIBUTIONS TO ALABAMA'S SMALL BUSINESSES.

Also:

By Reps. Buskey (JL), Holmes, McKee, Walker, Mikell, and Hooper:

H. J. R. 423. COMMENDING CONSUELLO HARPER OF MONTGOMERY, ALABAMA.

Also:

By Rep. Mikell:

H. J. R. 424. COMMENDING DEREK B. GRANGER, MILLBROOK, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 422, 423, and 424, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Turner:

H. J. R. 417. COMMENDING SCOTT PAPER COMPANY AND ITS LEADERSHIP FOR OUTSTANDING COMMUNITY CONTRIBUTIONS AND INVOLVEMENT.

Also:

By Reps. Crow, Willis, Campbell, and Rains:

H. J. R. 418. COMMENDING CALVIN WOOTEN OF ANNISTON, ALABAMA, RECIPIENT OF THE 1987 AMBASSADOR AWARD.

Also:

By Rep. Carter:

H. J. R. 420. HONORING THE LATE PAUL C. DAVIS OF ATHENS, ALABAMA, AND EXPRESSING SPECIAL APPRECIATION IN HIS BEHALF TO HIS WIFE, MRS. RACHEL DAVIS.

Also:

By Rep. Harvey:

H. J. R. 421. MOURNING THE DEATH OF BILLIE CARLTON HUDSON OF BLOUNTSVILLE, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 417, 418, 420, and 421, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Ford, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley,

**REGULAR SESSION**  
**29th Day**

2119

Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 461. HONORING THE 276TH ENGINEER COMBAT BATTALION FOR MERITORIOUS SERVICE TO OUR NATION.

Also:

By Rep. Burke:

H. J. R. 462. MOURNING THE DEATH OF HOYT DONALD NEWSOME OF SYLVANIA, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 461 and 462, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Rains and Moon:

H. J. R. 466. COMMENDING DEWEY DRAIN FOR DISTINGUISHED SERVICE TO THE PUBLIC SCHOOLS AND TO THE MARSHALL COUNTY BOARD OF EDUCATION.

Also:

By Rep. Holmes:

H. J. R. 467. COMMENDING THE HONORABLE IRVING J. STOLBERG OF CONNECTICUT.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 466 and 467, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. White (F):

H. J. R. 468. COMMENDING RONNIE COTTRELL, FOOTBALL COACH OF FLOMATON HIGH SCHOOL, ON HIS OUTSTANDING COACHING CAREER.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 468, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Payne:

H. J. R. 459. COMMENDING TONYA HELM OF CENTER POINT, ALABAMA, AS ONE OF OUR STATE'S MOST ACCOMPLISHED HIGH SCHOOL ATHLETES.

Also:

By Reps. Penry and Flowers:

H. J. R. 460. RECOGNIZING WITH COMMENDATION, THE 100TH ANNIVERSARY OF THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 459 and 460, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate.

S. J. R. 179. MOURNING THE DEATH OF THE REVEREND MARSHALL FOCH ROBINSON OF MOBILE, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Payne:

H. J. R. 476. COMMENDING THE OFFICERS OF THE ALABAMA DIVISION, UNITED DAUGHTERS OF THE CONFEDERACY.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 476, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Haynes, Johnson (RG), and Rains:

H. J. R. 484. MOURNING THE DEATH OF EUCL HOWARD GENTRY OF TALLADEGA, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 484, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Biddle:

H. J. R. 481. COMMENDING THE VOLUNTEER AUXILIARY OF THE UNIVERSITY OF ALABAMA HOSPITAL AT BIRMINGHAM.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 481, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### FURTHER CONSIDERATION OF H. B. 471

The Senate proceeded to further consideration of the Bill, H. B. 471, as amended.

Senator Parsons offered the following amendment to the Bill, H. B. 471, as amended, to-wit:

**AMENDMENT TO H. B. 471, AS AMENDED**

Amend House Bill No. 471, as amended, Page 1 Line 12, by inserting  
 “, insofar as criminal proceedings are concerned,” after the words

“confidential communications”

and further amend House Bill No. 471 page 3 lines 9-10 by striking  
 out:

“action, suit, or other judicial, legislative or administrative”

after the words: “in any criminal”

Which was adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Langford	
Bedsole	Covington	Goodwin	Manley	
Bennett	deGraffenried	Hale	Menton	
Cabaniss	Drinkard	Hand	Parsons	
Campbell	Ellis	Holmes	Rice	—19

*Nays:* —0

And said Bill, H. B. 471, as thus amended, was read a third time at  
 length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Campbell	Foshee	Langford	
Amari	Corbett	Goodwin	Manley	
Bailey	Covington	Hale	Menton	
Bedsole	deGraffenried	Hand	Smith (J)	
Bennett	Ellis	Holmes		—18

*Nays:* —0

**JOINT INTERIM COMMITTEE REPORT FILED**

Pursuant to the provisions of Act 84-775, the report of the Joint Interim  
 Committee on County Government was read and ordered filed with the  
 Secretary.

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said  
 Committee, in session, has compared the following enrolled Senate Bills with  
 the original Senate Bills, respectively, and finds same correctly enrolled,  
 to-wit:

S. 73. To provide further for the number of students in state funded  
 academic classrooms in the public schools in Alabama.

Also:

S. 207. To amend §34-24-75 by deleting the provision permitting the  
 issuance of a certificate of qualification for license to practice medicine to



a commissioned officer of the medical corps of the army, navy, the air force or the public health service of the United States.

Also:

S. 485. To further amend Section 41-9-682, Code of Alabama 1975, which section provides for the general powers of the Alabama music hall of fame, so as to further authorize the board to constitute a bond authority for the purposes of issuing general obligation bonds for capital outlay purposes, and for the purposes for which it was created; to provide for the circumstances under which the state of Alabama shall make payments on the costs incurred as a result of any such bond issue and to pledge its full faith and credit if necessary; to provide for the operation of such authority, its powers, duties and the allocation of bond proceeds; and to exempt such authority from any taxes of any nature, whether state, local or special.

Also:

S. 486. To propose an amendment to the Constitution of Alabama of 1901, as amended, which relates to the authority of the Alabama music hall of fame board to constitute an authority to issue general obligation bonds for capital outlay purposes and for the purposes for which it was created and to prescribe the powers thereof; to provide for the operation of the board as such authority, the allocation and expenditure of funds; to provide for exemptions from any and all taxes of any nature whatsoever; to provide that in the event appropriations, current revenues or bond proceeds are insufficient to cover costs, the state of Alabama shall pledge its full faith and credit; to provide that the legislature may enact subsequent legislation relating to said music hall supplemental to this amendment or in furtherance of the purposes and objectives of the provisions not in conflict herewith; and to provide that this amendment shall be self-executing when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of Alabama of 1901, as amended.

Also:

S. 490. Renaming the Plumbers Examining Board established by Act No. 529 of the 1949 Regular Session of the Legislature (Acts 1949, p. 827), as amended; continuing the existence of such board; authorizing such board to exercise certain statewide licensing authority over plumbers and gas fitters; defining certain terms relating to plumbing and gas fitting as used in this act; prescribing procedures for appointing successors to the current members of such board; prescribing regulations relative to the scope of authority of local and state licenses issued to plumbers and gas fitters; prescribing procedures for the testing and licensing of plumbers and gas fitters under this act; providing for the compensation and expenses of the members of such board and its hired or contracted employees; authorizing such board to adopt a fee schedule; prescribing procedures for revoking licenses; authorizing such board to enter into certain reciprocity agreements with other states; prescribing penalty for violation of this act and providing for supplemental effect.

JIM SMITH,  
Chairperson.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after their titles' had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### BUDGET ISOLATION RESOLUTION

Senator Covington, B. I. R., H. B. 240, adopted.

Yeas 18; Nays 1.

Yeas:

Senators:	Campbell	Foshee	Manley	
Bailey	Covington	Goodwin	Menton	
Bedsole	Denton	Hale	Rice	
Bennett	Ellis	Hand	Smith (J)	
Cabaniss	Figures	Holmes		—18

Nay: Senator Amari —1

### BILLS ON THIRD READING RESUMED

THE BILL:

H. 240. To amend §13A-6-3 of the Code of Alabama, 1975, to provide that manslaughter is a Class B felony.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, H. B. 240, to-wit:

#### AMENDMENT TO H. B. 240

Amend H. B. 240, Page 2, Line 6, by adding the following Section:

“Section 4. Applicability. This Act applies to conduct occurring after the effective date. Conduct occurring before the effective date of this Act shall be governed by pre-existing law.”

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Holmes	
Amari	Corbett	Goodwin	Langford	
Bailey	Covington	Hale	Menton	
Bedsole	Denton	Hand	Rice	
Bennett	Ellis	Hilliard	Smith (J)	
Cabaniss				—20

Nays: —0

And said Bill, H. B. 240, as thus amended, was read a third time at length and passed.

REGULAR SESSION  
29th Day

2125

Yeas 20; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Holmes
Amari	Corbett	Goodwin	Langford
Bailey	Covington	Hale	Menton
Bedsole	Denton	Hand	Rice
Bennett	Ellis	Hilliard	Smith (J)
Cabaniss			

—20

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 189. To further provide for the enforcement of the controlled substances laws in the dental profession and related occupations; to further provide for the investigative powers of the board of dental examiners relating to drug or controlled substances violations; to amend Section 34-9-43, Code of Alabama 1975, as amended, relating to the general powers and duties, so as to provide that the board's investigators shall have the powers of peace officers and arrest relative to the enforcement of the drug and controlled substances laws; to further amend Sections 20-2-90 and 20-2-91, Code of Alabama 1975, as amended, relating to the enforcement of such laws and the inspections of prescriptions, orders, and records therefor, so as to authorize the investigators of the board of dental examiners to execute such powers to effectively investigate drug or controlled substances violations; to further provide for the board's investigators' qualifications; and to exclude such persons from certain allowances.

Also:

H. 565. To provide that only one municipal sales (gross receipts) or use tax and only one county sales or use tax shall be collected or paid on the same sale.

Also:

H. 602. To provide for a Class A misdemeanor punishment for violation of the Alabama Department of Public Safety promulgated rules governing motor carrier safety regulations and hazardous material regulations.

Also:

H. 782. To specifically exempt all purchases made with food stamps from all state, county and municipal sales and use taxes; to make such exemption contingent upon the continued requirement of federal law that conditions the states' participation in the food stamp program upon exempting purchases made with food stamps; to provide that the provisions of this act shall become inoperative, null and void if the food stamp sales tax amendment is either ruled unconstitutional or unenforceable by a federal court or is repealed by Congress; and to provide that provisions of act shall become operative on October 1, 1987.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 84. To amend Sections 11-46-21, 11-46-22, 11-46-24, 11-46-25, 11-46-26, 11-46-27, 11-46-36, 11-46-40, 11-46-51, and 11-43-2, Code of Alabama 1975, relating to municipal elections, so as to establish the dates of municipal elections in certain cities or towns having the mayor-council form of government; and to establish dates and other procedures required in connection with such elections.

Also:

H. 124. To define the purpose and the terms used in this Act; to regulate the collection of wild ginseng; to provide for registration of dealers, collectors and growers and to provide for record keeping; to provide for export permits; to provide for rules and regulations; to provide for a monitoring program and right of entry; to provide for procedures for reselling or refusal to issue certificates and permits and appeals therefrom; to provide for penalties for violations and to grant powers of sheriffs on agents in the enforcement of this Act.

Also:

H. 321. To clarify and extend the authority of city and county boards of education to manage the public schools over which they have legal responsibility.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**BUDGET ISOLATION RESOLUTION**

Senator Cabaniss, B. I. R., H. B. 223, adopted.

**REGULAR SESSION  
29th Day**

2127

Yeas 19; Nays 1.

*Yeas:*

Senators:	Campbell	Goodwin	Langford	
Bailey	Covington	Hale	Menton	
Bedsole	Denton	Hand	Preuitt	
Bennett	Ellis	Hilliard	Rice	
Cabaniss	Foshee	Holmes	Smith (J)	—19

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 223. To allow certified copies of case action summary or docket sheets or other court records to be admitted into evidence for the purpose of proving that a person has been previously convicted of a crime.

was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Menton	
Amari	Ellis	Hilliard	Preuitt	
Cabaniss	Foshee	Holmes	Rice	
Campbell	Goodwin	Langford	Smith (J)	
Covington	Hale	Manley		—18

*Nays:* —0

**FURTHER CONSIDERATION OF H. B. 250**

The Senate proceeded to further consideration of the Bill, H. B. 250.

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 250, adopted.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Covington	Hale	Manley	
Bedsole	Denton	Hand	Menton	
Bennett	Ellis	Hilliard	Preuitt	
Cabaniss	Foshee	Holmes	Rice	
Campbell	Goodwin	Langford		—18

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 250. To amend Sections 7-9-307, 7-9-402, 7-9-403, 7-9-404, and 7-9-407, Code of Alabama, 1975, to create the Uniform Commercial Code and Farm Products Central Index System Fund, to provide for fees relating to farm products and Uniform Commercial Code, to increase the amendatory

statement filing fee, to increase the uniform fee for filing an original financing statement so as to include the termination fee, to discontinue the uniform fee for filing and indexing a termination statement for original financing statements filed after October 1, 1987, to empower the Secretary of State to set fees and charge for distributing microfilm reels containing copies of effective financing statements, to empower the Secretary of State to charge a fee for monthly partial listings of the master list of farm products registrants, and to increase the fee for a search certificate, and authorizes the Secretary of State to promulgate regulations and set reasonable fees related to implementation of a central index system and to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.

was taken up.

Senator Foshee offered the following amendment to the Bill, H. B. 250, to-wit:

### AMENDMENT TO H. B. 250

On page 3, following subdivision (f), subsection (4) add the following new subdivision (g):

“(g) a stockyard buyer or seller is exempt from this act provided this exemption does not disqualify certification of this act by the U. S. Department of Agriculture. If this exemption does disqualify this act for certification by the U. S. Department of Agriculture, this particular subdivision (g) shall be null and void and shall not affect any other parts of this law.”

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Manley	
Amari	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Cabaniss	Drinkard	Hilliard	Rice	
Campbell	Foshee	Holmes	Smith (J)	—19

Nays:

—0

And said Bill, H. B. 250, as thus amended, was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Covington	Hale	Menton	
Amari	Denton	Hand	Parsons	
Bedsole	Drinkard	Holmes	Preuitt	
Cabaniss	Ellis	Langford	Rice	
Campbell	Goodwin	Manley	Smith (J)	
Corbett				—20

Nays:

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 538. Relating to Jackson County; to provide for the relief of Ruby Butler, former tax assessor of Jackson County, Alabama, by the payment of certain funds due her as expenses incurred during her term as tax assessor.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 535. To amend Section 6-5-481 of the Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act so as to provide further for the definition of the terms "Other Health Care Providers" and "Professional Corporation."

said Conference Report being in words and figures as follows:

**REPORT OF COMMITTEE OF CONFERENCE ON**  
**HOUSE BILL 535**

The Committee of Conferees appointed to reconcile the difference between the two Houses concerning House Bill 535 have met, considered the matter, and agree to the following:

Substitute for H. B. 535 is attached.

JIMMY W. HOLLEY,  
ALBERT HALL,  
RONALD G. JOHNSON,

Conferees of the House.

E. C. FOSHEE,  
RICHARD MANLEY,  
JIM PREUITT,

Conferees of the Senate.

**CONFERENCE COMMITTEE SUBSTITUTE FOR H. 535**

SYNOPSIS: This bill amends Section 6-5-481 of the Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act so as to provide further for the definition of such terms.

**A BILL**  
**TO BE ENTITLED**  
**AN ACT**

To amend Section 6-5-481 of the Code of Alabama 1975, relating to definitions of terms used in the Alabama Medical Liability Act so as to

provide further for the definition of the terms "Other Health Care Providers" and "Professional Corporation."

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Section 6-5-481 of the Code of Alabama 1975 is hereby amended to read as follows:

"§6-5-481.

"For the purposes of this article, the following terms shall have the meanings respectively ascribed to them by this section:

"(1) **MEDICAL PRACTITIONER.** Anyone licensed to practice medicine or osteopathy in the state of Alabama, engaged in such practice, including medical professional corporations, associations and partnerships.

"(2) **DENTAL PRACTITIONER.** Anyone licensed to practice dentistry in the state of Alabama, engaged in such practice, including professional dental corporations, associations and partnerships.

"(3) **MEDICAL INSTITUTION.** Any licensed hospital, or any physician's ~~or~~, dentist's, or other health care provider's office or clinic containing facilities for the examination, diagnosis, treatment or care of human illnesses.

"(4) **PROFESSIONAL CORPORATION.** Any medical, ~~or~~ dental, op-  
tometric, or other health care provider's professional corporation or any  
medical, ~~or~~ dental, optometric or other health care provider's professional  
association.

"(5) **PHYSICIAN.** Any person licensed to practice medicine in Alabama.

"(6) **DENTIST.** Any person licensed to practice dentistry in Alabama.

"(7) **HOSPITAL.** Such institutions as are defined in section 22-21-21 as hospitals.

"(8) **OTHER HEALTH CARE PROVIDERS.** Any professional corporation or any person employed by physicians, dentists or hospitals who are directly involved in the delivery of health care services, or any chiropractor, optometrist, or pharmacist.

"(9) **MEDICAL LIABILITY.** A finding by a judge, jury or arbitration panel that a physician, dentist, medical institution or other health care provider did not meet the applicable standard of care, and that such failure was the proximate cause of the injury complained of, resulting in damage to the patient."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said Bill, H. B. 535, as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, H. B. 535, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE AND CONFERENCE MESSAGE**

On motion of Senator Foshee, further consideration of the Report of the new Committee on Conference, appointed to reconcile the disagreement



**REGULAR SESSION**  
**29th Day**

2131

of the two Houses on the Senate amendment to the Bill, H. B. 535, the title of which and said Conference Report are set out in the foregoing Message from the House, was postponed subject to the call of the Chair.

**FURTHER CONSIDERATION OF H. B. 792**

The Senate proceeded to further consideration of the Bill, H. B. 792.

And said Bill, H. B. 792, was read a third time at length and passed.

Yeas 22; Nays 1.

*Yeas:*

Senators:	Covington	Goodwin	Menton	
Amari	Denton	Hale	Preuitt	
Bedsole	Dial	Hand	Rice	
Bennett	Drinkard	Holmes	Sanders	
Cabaniss	Ellis	Langford	Smith (J)	
Campbell	Foshee	Manley		—22

*Nay:* Senator Corbett —1

**BUDGET ISOLATION RESOLUTION**

Senator Holmes, B. I. R., H. B. 126, adopted.

Yeas 19; Nays 1.

*Yeas:*

Senators:	Covington	Goodwin	Manley	
Bedsole	Denton	Hale	Menton	
Bennett	Drinkard	Hilliard	Preuitt	
Cabaniss	Ellis	Holmes	Rice	
Campbell	Foshee	Langford	Sanders	—19

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 126. To provide for the procedure for verification of eligibility for homestead exemptions provided in the Code of Alabama, 1975, Sections 40-9-19 and 40-9-21.

was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Manley	
Amari	Denton	Hale	Menton	
Bedsole	Dial	Hilliard	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Cabaniss	Figures	Langford	Sanders	
Campbell	Foshee			—21

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Langford, B. I. R., H. B. 934, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Dial	Goodwin	Manley	
Bedsole	Drinkard	Hale	Menton	
Cabaniss	Ellis	Hilliard	Preuitt	
Campbell	Figures	Holmes	Sanders	
Denton	Foshee	Langford		—18

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 934. To amend Section 19-3-120, Code of Alabama 1975, which provides for the classes of authorized investments, in which trustees, executors, administrators and other fiduciaries may invest, so as to include the African Development Bank within such classes of investments.

was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Langford	
Bailey	Denton	Goodwin	Manley	
Bedsole	Dial	Hale	Menton	
Bennett	Drinkard	Hilliard	Preuitt	
Cabaniss	Ellis	Holmes	Sanders	
Campbell	Figures			—21

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 86. To amend Sections 11-46-92, 11-46-93, 11-46-96, 11-46-97, 11-46-98, 11-46-107, 11-46-111, and 11-46-122, Code of Alabama 1975, relating to municipal elections, so as to establish the dates of municipal elections in certain cities or towns having the commission form of government; and to establish dates and other procedures required in connection with such elections.

Also:

H. 207. To make a conditional appropriation to the Louisiana, Mississippi, Alabama Rapid Rail Transit Commission, payable from the general or other fund of the state treasury, effective on October 1, 1987, or thereafter.

Also:

H. 386. To provide that the punishment for second degree rape be changed from a Class C to a Class B felony; to amend Code of Alabama,

1975 §13A-6-62(b) accordingly; to provide that the punishment for second degree sodomy be changed from a Class C to a Class B felony; to amend Code of Alabama, 1975 §13A-6-64(b) accordingly; to specify the conduct to which this act applies; to provide for severability; and to provide an effective date.

Also:

H. 401. To amend Section 41-16-120, Code of Alabama 1975, which section relates to sales of surplus state property by the surplus property division of the department of economic and community affairs, so as to provide for a 30 day period of payment by those legal entities named in subsection (e) which purchase surplus property, and to allow non-profit corporations to purchase such property, provided the federal surplus property purchasing guidelines are followed.

Also:

H. 576. To amend §32-9-26, which exempts four-wheel, two-axle trailers with the weight of the trailer and load, not to exceed 10,000 pounds, used in farming from restrictions against use of trailers on the highways so as to allow from two to eight wheels and from one to four axles and a weight limit of not more than 36,000 pounds or no more than 10,000 pounds per axle, whichever is less; to amend §32-9-27, which requires those trailers exempted under 32-9-26 to carry reflectors and not be over eight feet in width and 65 feet in length, to allow the trailer to be up to 10 feet in width and no more than 76 feet in length with a one-foot overhang on each side of the trailer allowed for hauling round bales of hay.

Also:

H. 599. To create the Police Officer's and Firefighter's Survivor Educational Act; to provide for tuition assistance and other costs for an undergraduate student in a state college, community college, junior college, technical college or state university who is the dependent child, or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to provide that the Alabama Commission on Higher Education shall administer the provisions of the act; to create the Tuition Eligibility Board and provides for membership; to make an appropriation; and to repeal Sections 36-21-95 through 36-21-99, Code of Alabama 1975, the Policeman's Survivor Tuition Act.

Also:

H. 650. To amend Sections 41-9-782 and 41-9-783 of the Code of Alabama 1975 relating to the Tennessee Valley Exhibit Commission in order to clarify the authority of said commission with respect to the issuance of revenue obligations and to make a limited appropriation and pledge for the benefit of certain of such revenue obligations of certain moneys retained by the State of Alabama from in-lieu-of-taxes payments made by the Tennessee Valley Authority.

Also:

H. 815. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and

industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a nonprofit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

Also:

H. 904. To provide that the Lieutenant Governor's office shall be separate and distinct; to provide for the appointment and compensation of the personnel of the Lieutenant Governor's office; and to authorize the Lieutenant Governor to purchase equipment, supplies and services and to approve personnel business travel.

Also:

H. 814. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### BUDGET ISOLATION RESOLUTION

Senator Langford, B. I. R., H. B. 935, adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Dial	Goodwin	Langford
Bedsole	Drinkard	Hale	Manley
Bennett	Ellis	Hand	Menton
Cabaniss	Figures	Hilliard	Preuitt
Campbell	Foshee	Holmes	Sanders
Denton			

—20

Nays:

—0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 935. To amend Section 27-41-14, Code of Alabama 1975, which provides for investments of life, disability and burial insurance companies, so as to allow said companies to invest in the African Development Bank. was read a third time at length and passed.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Langford
Bailey	Dial	Goodwin	Manley
Bedsole	Drinkard	Hale	Menton
Bennett	Ellis	Hand	Preuitt
Cabaniss	Figures	Holmes	Sanders
Campbell			

—20

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 131. To amend Section 16-10-1, Code of Alabama 1975, so as to eliminate the requirement that local school trustees must be appointed by the county board of education.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 706. To amend Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, relating to the practice of podiatry, so as to provide for the powers and authority of the board of podiatry; to provide for the qualifications and examination of applicants for a license to practice podiatry; to prescribe additional conduct which shall be deemed unprofessional; to grant the board of podiatry certain subpoena powers; to provide for the conduct of hearings by the board and to grant members of the board of podiatry and certain other members civil immunity in certain instances.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 588. To amend sections 2-8-126 and 2-8-135, Code of Alabama 1975, relating to referendums authorizing an assessment of certain producers for

the promotion of nuts, bulbs, fruits and vegetables; so as to authorize the holding of intermediary referendums to alter or modify the terms of an existing assessment and to further provide for the notice of referendum.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 821. To provide additional funding for domestic violence shelters by amending Sections 30-6-6 and 30-6-11 Code of Alabama 1975, as last amended, to increase the limitation on the maximum available to each domestic violence facility, and re-designate the following subsection as subsection (e); to increase the additional fee for marriage licenses provided for therein by \$10.00, from \$5.00 to \$15.00; and to remove language in Section 30-6-11 in which refers to a time period which has already passed.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 876. To amend Code of Alabama 1975, §12-15-65 to provide that an out of court statement made by a child under the age of twelve describing acts of sexual conduct performed on or with the child by another shall be admissible in dependency hearings if the court finds that the statement is sufficiently reliable; to provide that such statement may not be admitted unless the proponent of the statement gives advance notice of the details of the statement and of his intention to offer the statement, so that the adverse party may have a fair opportunity to rebut the statement; to provide the conduct to which this act applies; to provide for severability; and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 227. To amend Sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners in Psychology, so as to provide for increases in certain fees charged by the board.

JOHN W. PEMBERTON,  
Clerk.

**FURTHER CONSIDERATION OF H. B. 233**

The Senate proceeded to further consideration of the Bill, H. B. 233.  
The question was on the B. I. R.

**BUDGET ISOLATION RESOLUTION**

Senator Figures, B. I. R., H. B. 233, adopted.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Drinkard	Hand	Menton
Bailey	Ellis	Hilliard	Preuitt
Bedsole	Figures	Holmes	Sanders
Bennett	Foshee	Langford	Smith (B)
Cabaniss	Goodwin	Manley	Smith (J)
Campbell	Hale		

—21

*Nays:*

—0

**BILLS ON THIRD READING RESUMED**

THE BILL:

H. 233. To provide for a revision of the guardianship laws of Alabama by providing: general provisions, definitions and jurisdiction of court; protection of persons under disability and their property; protection of property of persons under disability and minors; to repeal Sections 26-2-1; 26-2-20 through 26-2-25, 26-2-40 through 26-2-42, 26-2-49, 26-3-2, 26-3-6, 26-4-1 through 26-4-155, 26-5-17, 26-5-37, 26-6-1 through 26-6-6, and 26-7-1 through 26-7-5 of the Code of Alabama 1975, as amended; and to amend Sections 26-2-2, 26-2-26, 26-2-43, 26-2-45, 26-2-47, 26-2-48, 26-2-50 through 26-2-55, 26-3-1, 26-3-3 through 26-3-5, 26-3-7, 26-3-8, 26-3-10 through 26-3-14, 26-5-1, 26-5-2, 26-5-4, 26-5-5, 26-5-7 through 26-5-10, 26-5-12 through 26-5-16, 26-5-18, 26-5-30 through 26-5-36, 26-5-38, 26-5-39, 26-5-50 through 26-5-52, 26-8-1, 26-8-20 through 26-8-24, 26-8-40 through 26-8-46, 26-8-48 through 26-8-52, and 26-9-2 Code of Alabama, 1975.

was read a third time at length and passed.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Langford
Bailey	Dial	Goodwin	Manley
Bedsole	Drinkard	Hale	Menton
Bennett	Ellis	Hand	Sanders
Cabaniss	Figures	Holmes	Smith (J)
Campbell			

—20

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate.

## S. J. R. 94. CONTINUING THE JOINT GOVERNOR'S-LEGISLATIVE TASK FORCE ON CHILD DAY CARE.

JOHN W. PEMBERTON,  
Clerk.**FURTHER CONSIDERATION OF H. B. 802**

The Senate proceeded to further consideration of the Bill, H. B. 802.

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B. 802, adopted.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Goodwin	Menton	
Bedsole	Drinkard	Hale	Preuitt	
Cabaniss	Ellis	Hilliard	Sanders	
Campbell	Figures	Langford	Smith (J)	—19

*Nays:*

—0

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 802. To amend Section 33-1-3, Code of Alabama 1975, which establishes the office of the Director of state docks, so as to establish the qualifications of the office and to provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$5,000.00 the highest authorized salary for employees of the department in the classified service of the state.

having been postponed subject to the call of the Chair on the Twenty-Eighth Legislative Day, was again taken up.

And said Bill, H. B. 802, was read a third time at length and passed.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Covington	Goodwin	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Ellis	Hand	Parsons	
Bennett	Figures	Hilliard	Sanders	
Cabaniss	Foshee	Horn	Smith (J)	
Campbell				—20

*Nay:* Senator Corbett

—1

**REPORT FROM RULES**

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate



**REGULAR SESSION  
29th Day**

2139

Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 157. REQUESTING THE STATE DEPARTMENT OF EDUCATION TO CONDUCT A SURVEY.

On motion of Senator Sanders, said Resolution was adopted by the Senate.

**RESOLUTION**

Senator Bedsole offered the following Senate Resolution, to-wit:

S. R. 198. MOURNING THE DEATH OF VERNON O. CAPPS OF PRICHARD, ALABAMA.

Which was filed.

**BUDGET ISOLATION RESOLUTION**

Senator Cabaniss, B. I. R., H. B. 719, adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Langford
Bailey	deGraffenried	Goodwin	Manley
Bedsole	Dial	Hale	Preuitt
Cabaniss	Drinkard	Hand	Sanders
Campbell	Ellis	Holmes	

—18

*Nays:* —0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 719. To authorize the establishment of "enterprise zones," pursuant to state tax and other incentives in order to promote job creation and economic development; to provide for the duties and authority of the Alabama Department of Economic and Community Affairs, the Alabama Department of Industrial Relations, the Alabama Development Office, the Department of Revenue, and the local governing bodies; to provide the requirements for participation; to provide for state and local tax and nontax incentives; and to provide with respect to financing, for financial assistance to municipalities and individuals and businesses under any act of the Congress of the United States heretofore or hereafter enacted.

was read a third time at length and passed.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Campbell	Drinkard	Langford
Bailey	Corbett	Ellis	Manley
Bedsole	Covington	Hale	Menton
Bennett	deGraffenried	Hand	Parsons
Cabaniss	Denton	Hilliard	Preuitt

—19

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 706. To amend Sections 34-24-252, 34-24-255 and 34-24-276, Code of Alabama 1975, relating to the practice of podiatry, so as to provide for the powers and authority of the board of podiatry; to provide for the qualifications and examination of applicants for a license to practice podiatry; to prescribe additional conduct which shall be deemed unprofessional; to grant the board of podiatry certain subpoena powers; to provide for the conduct of hearings by the board and to grant members of the board of podiatry and certain other members civil immunity in certain instances.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 199. PURSUANT TO RULE 55.

Pursuant to Rule 55 the following resolutions of congratulation, commendation and sympathy are given a favorable report from the Committee on Rules.

H. J. R. 417  
418  
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On motion of Senator Foshee, said Resolution was adopted by the Senate.

**REPORT FROM RULES**

Senator Smith (J), Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 417. COMMENDING SCOTT PAPER COMPANY AND ITS LEADERSHIP FOR OUTSTANDING COMMUNITY CONTRIBUTIONS AND INVOLVEMENT.

Also:

H. J. R. 418. COMMENDING CALVIN WOOTEN OF ANNISTON, ALABAMA, RECIPIENT OF THE 1987 AMBASSADOR AWARD.

Also:

H. J. R. 420. HONORING THE LATE PAUL C. DAVIS OF ATHENS, ALABAMA, AND EXPRESSING SPECIAL APPRECIATION IN HIS BEHALF TO HIS WIFE, MRS. RACHEL DAVIS.

Also:

H. J. R. 421. MOURNING THE DEATH OF BILLIE CARLTON HUDSON OF BLOUNTSVILLE, ALABAMA.

Also:

H. J. R. 422. RECOGNIZING THE SERVICE CORPS OF RETIRED EXECUTIVES FOR OUTSTANDING CONTRIBUTIONS TO ALABAMA'S SMALL BUSINESSES.

Also:

H. J. R. 423. COMMENDING CONSUELLO HARPER OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 424. COMMENDING DEREK B. GRANGER, MILLBROOK, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 435. COMMENDING THE ROBERT WESLEY AND EDNA WHITE PITTS FAMILY.

Also:

H. J. R. 436. COMMENDING THE AARON AND MAMIE FRANKLIN FAMILY.

Also:

H. J. R. 439. MOURNING THE DEATH OF ROBERT DAVID ROLLINS OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 441. COMMENDING SHAREE DELLYNNE KEMP OF DORA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

H. J. R. 446. COMMENDING THE HISTORIC BYRD SCHOOL ODYSSEY OF THE MIND TEAM.

Also:

H. J. R. 447. COMMENDING THE MEADOWVIEW/EAST END ODYSSEY OF THE MIND TEAM.

Also:

H. J. R. 459. COMMENDING TONYA HELM OF CENTER POINT, ALABAMA, AS ONE OF OUR STATE'S MOST ACCOMPLISHED HIGH SCHOOL ATHLETES.

Also:

H. J. R. 460. RECOGNIZING WITH COMMENDATION, THE 100TH ANNIVERSARY OF THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES.

Also:

H. J. R. 461. HONORING THE 276TH ENGINEER COMBAT BATTALION FOR MERITORIOUS SERVICE TO OUR NATION.

Also:

H. J. R. 462. MOURNING THE DEATH OF HOYT DONALD NEWSOME OF SYLVANIA, ALABAMA.

Also:

H. J. R. 466. COMMENDING DEWEY DRAIN FOR DISTINGUISHED SERVICE TO THE PUBLIC SCHOOLS AND TO THE MARSHALL COUNTY BOARD OF EDUCATION.

Also:

H. J. R. 467. COMMENDING THE HONORABLE IRVING J. STOLBERG OF CONNECTICUT.

Also:

H. J. R. 468. COMMENDING RONNIE COTTRELL, FOOTBALL COACH OF FLOMATON HIGH SCHOOL, ON HIS OUTSTANDING COACHING CAREER.

Also:

H. J. R. 476. COMMENDING THE OFFICERS OF THE ALABAMA DIVISION, UNITED DAUGHTERS OF THE CONFEDERACY.

Also:

H. J. R. 481. COMMENDING THE VOLUNTEER AUXILIARY OF THE UNIVERSITY OF ALABAMA HOSPITAL AT BIRMINGHAM.

Also:

H. J. R. 484. MOURNING THE DEATH OF EUEL HOWARD GENTRY OF TALLADEGA, ALABAMA.

And on motion of Senator Foshee, the Resolutions were then concurred in and adopted by the Senate.

### BUDGET ISOLATION RESOLUTION

Senator Foshee requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Foshee, B. I. R., H. B. 286, adopted.

Yeas 17; Nays 1.

Yeas:

Senators:	deGraffenried	Foshee	Langford
Bailey	Denton	Goodwin	Manley
Bedsole	Dial	Hale	Preuitt
Bennett	Dixon	Hilliard	Smith (J)
Campbell	Drinkard		

—17

Nay: Senator Covington

—1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 286. To provide further for the sale or proper disposal of certain historical property used in legislative chambers; to authorize the historical commission to set a standard rate for certain restored period legislative desks and for the legislative chairs used in the Alabama Legislature; to authorize the secretary of the senate and the clerk of the house to dispose of certain such desks and chairs at such standard rate, or to otherwise make disposal thereof; and to provide for the distribution of net revenues.

was taken up.

Senator Foshee offered the following amendment to the Bill, H. B. 286, to-wit:

### AMENDMENT TO H. B. 286

Amend H. B. 286 as follows:

On page 1 line 28 after the word "chairs" add the following:

"and/or desks"

Further amend H. B. 286 as follows:

On page 1 line 32 after the word "chair" delete the period and add the following:

"and/or desk."

Further amend H. B. 286 as follows:

On page 1 line 34 after the word "chairs" delete the comma and add the following:

"and/or desks,"

Further amend H. B. 286 as follows:

On page 1 line 35 after the word "chairs" add the following:  
"and/or desks"

Which was adopted.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Covington	Ellis	Holmes	
Bailey	deGraffenried	Foshee	Langford	
Bedsole	Denton	Goodwin	Manley	
Cabaniss	Dial	Hale	Parsons	
Campbell	Drinkard	Hand	Preuitt	
Corbett				—20

*Nays:* —0

And said Bill, H. B. 286, as thus amended, was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Holmes	
Bedsole	deGraffenried	Goodwin	Langford	
Bennett	Denton	Hale	Manley	
Cabaniss	Dial	Hand	Parsons	
Campbell	Drinkard	Hilliard	Preuitt	
Corbett	Ellis			—21

*Nays:* —0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Seibels:

H. J. R. 469. EXPRESSING LEGISLATIVE INTENT AND PUBLIC POLICY WITH RESPECT TO FEDERAL AND STATE CONTROLS ON THE ATTAINMENT OF OZONE AIR QUALITY STANDARDS.

WHEREAS, in order to make significant progress toward attaining the ozone air quality standard by year-end 1987—as required under the Clean Air Act—many states, including Alabama, may attempt to control gasoline vapors emitted at service stations; and

WHEREAS, the U. S. Environmental Protection Agency has published a document analyzing several control strategies that make use of two alternative technologies: an improved carbon canister system onboard vehicles and special equipment on service station pumps—the "Stage II" system; and

WHEREAS, the states have an important role in this regulatory debate because the nature and type of controls adopted will have a direct impact on the air quality, motorists and economy of every state affected; and

WHEREAS, Alabama, along with other states, has filed its State Implementation Plan (SIP) for the attainment of the ozone standard; and

WHEREAS, gasoline dispensing pump controls have been shown to be less efficient in recovering vapors than onboard controls; and

WHEREAS, gasoline pump controls would be more expensive, costing the nation much more than an onboard system and forcing the closing of many gasoline stations nationwide because of the costs; and

WHEREAS, gasoline pump controls would capture only refueling vapors and not those emitted as a result of vehicle operation; and

WHEREAS, gasoline pump controls are difficult for consumers to operate many times resulting in the spilling of gasoline during filling; and

WHEREAS, onboard controls would be more efficient, cost effective and easier to implement and could be checked during regular automobile inspections, while the enforcement of Stage II would be costly and burdensome, with much of the enforcement burden—including the financial burden—falling on the states; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the legislative intent and public policy of the State of Alabama is that the U. S. Environmental Protection Agency, if it deems that further gasoline vapor controls are required, to mandate a nationwide system of vehicle onboard controls as the more efficient, economical, consumer oriented and practical solution.

BE IT FURTHER RESOLVED, That with this decision states such as Alabama should be given credit for additional progress toward attainment of the ozone standard, especially for existing methods that control emissions and for improved maintenance programs, in order to avoid redundant and unreasonable state implementation of Stage II controls.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to Mr. Lee Thomas of the U. S. Environmental Protection Agency, Mr. Leigh Peques of the Alabama Department of Environmental Management and to each member of Alabama's Congressional Delegation to the U. S. House of Representatives and U. S. Senate.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Parsons, the Rules were suspended and the Resolution, H. J. R. 469, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### BUDGET ISOLATION RESOLUTION

Senator Hand, B. I. R., H. B. 697, adopted.

Yeas 16; Nays 2.

Yeas:

Senators:	Campbell	Drinkard	Hilliard
Bailey	Covington	Goodwin	Menton
Bedsole	Denton	Hale	Preuitt
Bennett	Dial	Hand	Smith (J)
Cabaniss			

Nays:

Senators:

Amari

Corbett

—2

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 697. To amend Section 16-13-184, Code of Alabama 1975, which relates to the conduct of elections, so as to provide further for the voting hours for county elections regarding school taxes.

was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:

Campbell

Drinkard

Langford

Amari

Corbett

Goodwin

Menton

Bailey

Covington

Hale

Preuitt

Bedsole

Denton

Hand

Smith (J)

Cabaniss

Dial

Hilliard

—18

Nays:

—0

#### THE BILL:

H. 735. To amend section 11-81-11 of the Code of Alabama 1975, as heretofore amended, to permit the sale of bonds issued under the authority of Chapter 81 of Title 11 of the Code of Alabama 1975, as amended, to be sold at public or private sale as the governing body of the municipality or county may determine.

was taken up.

On motion of Senator Hilliard, further consideration of the Bill was postponed subject to the call of the Chair.

### BUDGET ISOLATION RESOLUTION

Senator Hand, B. I. R., H. B. 510, adopted.

Yeas 17; Nays 1.

Yeas:

Senators:

Covington

Hale

Langford

Bedsole

Denton

Hand

Menton

Bennett

Dial

Hilliard

Preuitt

Cabaniss

Drinkard

Holmes

Smith (J)

Campbell

Goodwin

—17

Nay: Senator Corbett

—1

### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 510. To establish the "County Oil and Gas Severance Trust Fund" with revenue from certain local county severance tax revenues from oil and gas production, plus certain income or interest; to regulate and provide for



the administration of the expenditures of such funds by the county; to specifically repeal Act No. 2120, H. 2450, Regular Session 1971 (Acts 1971, Vol. V, p. 3399), as amended, relating to Baldwin County privilege tax on persons engaged in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters; to specifically provide that this bill shall not be construed to repeal Section 40-20-2, Code of Alabama 1975, as amended, which levies certain taxes upon the production or severing oil or gas from the soil or waters; and to provide for non-severability construction. was taken up.

Senator Hand offered the following substitute for the Bill, H. B. 510, to-wit:

**SUBSTITUTE FOR H. B. 510**

**A BILL  
TO BE ENTITLED  
AN ACT**

To establish "County Oil and Gas Severance Tax Trust Funds" in the counties of the state with revenue derived from certain local county severance taxes on producers of oil and gas and other hydrocarbons, plus certain income or interest; to regulate and provide for the administration of the expenditures of such trust funds by counties in the state in which such taxes are now or may hereafter be levied; to provide for the maximum funding of such trust funds; to specifically repeal, following the full funding of such trust fund established with respect to Baldwin County, Act No. 2120, H. 2450, Regular Session 1971 (Acts 1971, Vol. V, p. 3399), as amended, relating to Baldwin County privilege tax on persons engaged in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters and to provide for the repeal of other similar taxes that may be hereafter levied for counties; to specifically provide that this bill shall not be construed to repeal that part of Title 40, Code of Alabama 1975, as amended, which provides for the levy of certain taxes upon the production or severing oil or gas from the soil or waters of the state; and to provide for non-severability construction and an effective date.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Any laws or parts of laws to the contrary notwithstanding, any annual privilege tax levied upon persons engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters of this state measured by the gross value of such oil or gas or other hydrocarbons and which tax is applicable only in a particular county and under which collections were being made on January 1, 1987, or which shall hereafter be levied pursuant to legislative act, shall be continued and collected only as herein prescribed:

(a) All revenues collected from such local severance taxes, shall, beginning the first day of the month following the effective date of this Act, be paid into the general fund of the county exclusively for transfer and deposit into a trust fund hereby established until the total sum of \$15,000,000 in severance tax revenues of the type described in this Act, excluding any interest income on amounts deposited therein from such total sum, has been deposited into such trust fund. Upon the deposit into said trust fund of a county of a total of \$15,000,000 in such severance tax revenues, any local law authorizing or levying such tax, including, without limitation, Act No. 2120, H. 2450, Regular

Session 1971 (Acts 1971, Vol. V, p. 3399), shall stand repealed and no further taxes shall be levied thereunder. Any such local oil and gas severance tax revenues in excess of such \$15,000,000 amount collected in any county after the time the total of such tax proceeds paid into such trust fund established hereby for such county shall reach \$15,000,000, shall be refunded as promptly as shall be reasonably practicable to the payers thereof. The county governing body shall not be authorized to make any expenditure from any monies composing the corpus of said trust fund so long as it shall remain in existence. Said trust fund shall be designated in each county as the "County Oil and Gas Severance Tax Trust Fund," and is hereinafter referred to as the "trust fund."

(b) Commencing with the first year in which any trust fund provided for in this Act shall receive deposits as required hereunder, and in each year thereafter, the county governing body shall take steps to ensure that the trust fund shall retain the total severance tax revenues paid therein plus ten percent (10%) of any net income or interest generated by the investment of such severance tax revenues, which sum shall be and become a part of the corpus of the trust fund. A sum, not to exceed ninety percent (90%) of the net income or interest thereby generated from said investments, shall be distributed quarterly, semiannually or annually, as designated by the trustees of the trust, to the general fund of the county for which a trust fund is established pursuant to this Act.

(c) The county governing body shall constitute the trustees of the trust, provided, however, that the said governing body may in its discretion appoint one or more trustees or escrow agents for the trust, which trustees or escrow agents shall be trust companies or national or state banks having powers of a trust company within or without the State of Alabama. The trustees shall invest the corpus of the trust only in direct general obligations of, or obligations the payment of the principal of and interest on which are unconditionally and irrevocably guaranteed by, the United States of America. Provided, however, that notwithstanding any legal limitation that might otherwise be applicable, the trustees shall further have the authority in their discretion to invest such trust fund in certificates of deposit of any savings and loan associations or banks, whether federally or state chartered, whose principal office is located in this state, provided that such funds so invested are fully secured by pledges of securities of the type described in the immediately preceding sentence hereof.

(d) Upon the deposit into a trust fund established pursuant to this Act of the total sum of \$15,000,000 in severance tax revenues of the type described in this Act, excluding any interest as income in such total sum, and the consequent repeal of the local law authorizing or levying such tax, the county governing body of a county for which a trust fund established hereunder shall be in existence shall be thereafter prohibited from levying or collecting, directly or indirectly, any local county severance tax of the type described in this Act that was in existence prior to January 1, 1987, or that may be established hereafter, and any act authorizing such county oil and gas severance tax shall thereafter stand repealed.

Section 2. It is specifically provided that this Act shall not be construed to repeal or be in any way deemed amendatory of any of the provisions of Article 1 of Chapter 20 of Title 40, Code of Alabama 1975, as amended.

Section 3. The provisions of this act are inseparable and non-severable and if any section, clause or provision of this Act shall be declared unconstitutional or invalid the entire Act shall be void and be inoperative and have no effect.

REGULAR SESSION  
29th Day

2149

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Bedsole	Covington	Hand	Preuitt	
Bennett	Denton	Hilliard	Rice	
Cabaniss	Dial	Holmes	Smith (J)	
Campbell	Drinkard	Langford		—18

*Nays:* —0

And said Bill, H. B. 510, as thus amended by the substitute, was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Denton	Hand	Parsons	
Bedsole	Dial	Hilliard	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Cabaniss	Goodwin	Langford	Smith (J)	
Corbett	Hale	Menton		—18

*Nays:* —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 250. To amend Sections 7-9-307, 7-9-402, 7-9-403, 7-9-404, and 7-9-407, Code of Alabama, 1975, to create the Uniform Commercial Code and Farm Products Central Index System Fund, to provide for fees relating to farm products and Uniform Commercial Code, to increase the amendatory statement filing fee, to increase the uniform fee for filing an original financing statement so as to include the termination fee, to discontinue the uniform fee for filing and indexing a termination statement for original financing statements filed after October 1, 1987, to empower the Secretary of State to set fees and charge for distributing microfilm reels containing copies of effective financing statements, to empower the Secretary of State to charge a fee for monthly partial listings of the master list of farm products registrants, and to increase the fee for a search certificate, and authorizes the Secretary of State to promulgate regulations and set reasonable fees related to implementation of a central index system and to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the House amendment to the Bill:

S. 284. To further amend Sections 18 and 20 of an act designated as Act #248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from six qualified candidates unless the appointing authority shall request the three ranking eligibles only.

And said Bill, S. B. 284, as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, S. B. 284, together with the Report of the Committee on Conference, is herewith returned to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 471. To provide for confidential communications, insofar as criminal proceedings are concerned, between victims and victim counselors disclosed during the course of treatment for any emotional or psychological effects of a sexual assault or family violence.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 289. To amend Sections 41-13-5 and 41-13-22 through 41-13-25, Code of Alabama 1975, relating to the management of certain public records so as to provide further for such management to include such records of municipalities; and to create a local government records commission in lieu of a county records commission and repeals Sections 11-47-150 through 11-47-155, Code of Alabama 1975.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 140. To make the illegal possession of food stamps a criminal offense, to define the degrees of such offense; to prescribe punishment; and to provide that any person convicted of such crime who is licensed under the Alcoholic Beverage Licensing Code shall have his license revoked in addition to criminal penalties.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 242. To authorize State Troopers to retire with twenty-five years service and to provide for the formula to be used in calculating retirement benefits.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 178. To amend Sections 16-25-11 and 36-27-11, Code of Alabama 1975, relating to the teachers' retirement system and the employees' retirement system, respectively, so as to provide further for the number of years of contributing membership service a member of such retirement systems shall complete before being allowed to restore previous creditable service with either such retirement system.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 587. To create the Alabama Mothers and Babies Indigent Care Trust Fund; to create the Alabama Mothers and Babies Indigent Care Trust Fund Board to administer said fund; to provide for the said board's composition, powers, duties and authority; to provide for funding; to provide for the creation of the Alabama Mothers and Babies Indigent Care Trust Fund in the state treasury; and to provide that monies in said fund shall not revert

to the general fund but shall be carried forward into each succeeding state fiscal year.

JOHN W. PEMBERTON,  
Clerk.

### FURTHER CONSIDERATION OF H. B. 735

The Senate proceeded to further consideration of the Bill, H. B. 735.

### BUDGET ISOLATION RESOLUTION

Senator Hilliard, B. I. R., H. B. 735, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	Covington	Hale	Menton	
Bedsole	Denton	Hilliard	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Cabaniss	Goodwin	Langford	Smith (J)	
Campbell				—16

*Nays:*

Senators:	Amari	Corbett		—2
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### BILLS ON THIRD READING RESUMED

#### THE BILL:

H. 735. To amend section 11-81-11 of the Code of Alabama 1975, as heretofore amended, to permit the sale of bonds issued under the authority of Chapter 81 of Title 11 of the Code of Alabama 1975, as amended, to be sold at public or private sale as the governing body of the municipality or county may determine.

was read a third time at length and passed.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Holmes	
Amari	Covington	Goodwin	Langford	
Bedsole	Denton	Hale	Menton	
Bennett	Dial	Hand	Preuitt	
Cabaniss	Drinkard	Hilliard	Rice	
Campbell				—20

*Nays:*

—0

### MOTION TO ADJOURN

Senator Covington moved that when the Senate adjourns today, it adjourn to meet again on August 3, 1987, at 10 o'clock A.M.

Senator Corbett offered a substitute motion that when the Senate adjourns today, it adjourn to meet again on August 3, 1987, at 9:30 A.M., which motion was lost.

The question recurred on the motion of Senator Covington.

Senator deGraffenried offered a substitute motion that when the Senate adjourns today, it adjourn to meet again on August 3, 1987, at 8 o'clock A.M., which motion was adopted.

### BUDGET ISOLATION RESOLUTION

Senator Bedsole, B. I. R., H. B. 203.

On motion of Senator Hilliard, further consideration of the B. I. R. and the Bill, H. B. 203, was postponed subject to the call of the Chair.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 658. Relating to Baldwin County; providing for a Planning and Zoning Commission for the unincorporated areas of the county; providing for the organization, membership, functions, authority and jurisdiction of such commission; prescribing procedures for establishing planning and zoning districts in certain unincorporated areas of the county; prescribing procedures for formulating and implementing district development plans; providing that each tract or parcel of property within a planning and zoning district shall be assessed a certain development privilege fee subject to certain limitations to finance the development functions of the county planning and zoning commission; providing appellate procedures for planning and zoning; prohibiting certain regulations adopted by the commission from being retroactive and providing that this act shall have supplemental effect.

JOHN W. PEMBERTON,  
Clerk.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions, with the original Senate Bills and Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 179. MOURNING THE DEATH OF THE REVEREND MARSHALL FOCH ROBINSON OF MOBILE, ALABAMA.

Also:

S. 538. Relating to Jackson County; to provide for the relief of Ruby Butler, former tax assessor of Jackson County, Alabama, by the payment of certain funds due her as expenses incurred during her term as tax assessor.

Also:

S. 131. To amend Section 16-10-1, Code of Alabama 1975, so as to eliminate the requirement that local school trustees must be appointed by the county board of education.

JOURNAL OF THE SENATE, 1987  
29th Day

Also:

S. 227. To amend Sections 34-26-22, 34-26-43 and 34-26-43.1, Code of Alabama 1975, relating to the Board of Examiners in Psychology, so as to provide for increases in certain fees charged by the board.

Also:

S. J. R. 94. CONTINUING THE JOINT GOVERNOR'S-LEGISLATIVE TASK FORCE ON CHILD DAY CARE.

JIM SMITH,  
Chairperson.

**SIGNING OF BILLS AND RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 687. Relating to Morgan County, Alabama; to provide further for the distribution of payments made in lieu of ad valorem taxes by the Tennessee Valley Authority to the State of Alabama and transferred and distributed by said State of Alabama to the governing body of Morgan County; and to provide for the use of such payments by the ultimate recipients thereof.

Also:

S. 662. Relating to the City of Oxford in Calhoun County; providing that the office of mayor shall be full-time.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 506. To amend Section 11-43-40, Code of Alabama 1975, relating to the composition of city councils in cities having a population of 12,000 or more presently operating with five single-member districts as established under a Federal Court Order, so as to provide for a procedure to establish a council of eight aldermen to be elected from districts and a council president to be elected at large.

Also:

S. 535. Relating to Greene County; to extend the privilege or license and excise and sales tax provisions of Act No. 77-487, H. 1226 of the 1977



**REGULAR SESSION**  
**29th Day**

2155

Regular Session (Acts 1977, p. 636) without any action of the County Governing Body or a vote of the people.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 419. Relating to DeKalb County; to provide for an optional system of Alabama business licenses purchasing by mail; to authorize an additional fee for mailing licenses; and to provide for the disposition of such fees.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 58. Relating to Morgan County; authorizing the county to pay all its employees whose compensation is provided for by local act bi-weekly instead of semi-monthly and to repeal all provisions of all local acts which conflict with this act.

JOHN W. PEMBERTON,  
Clerk.

**BUDGET ISOLATION RESOLUTION**

Senator Campbell, B. I. R., H. B. 74, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	Covington	Foshee	Holmes
Bailey	Denton	Goodwin	Langford
Bedsole	Dial	Hale	Menton
Bennett	Drinkard	Hilliard	Preuitt
Campbell			

—16

*Nays:*

Senators:	Amari	Corbett
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—2

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 74. To define certain school records as "governmental records" and to include school systems and certain institutions in the definition of government so as to make it illegal to knowingly falsify certain school records. was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Langford
Amari	Corbett	Foshee	Menton
Bailey	Covington	Hale	Parsons
Bedsole	Denton	Hilliard	Smith (J)
Bennett	Dial	Holmes	

—18

Nays:

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (RG):

**H. J. R. 433. CREATING AN INTERIM LEGISLATIVE COMMITTEE TO STUDY THE PROCEDURES USED BY THE ADMINISTRATIVE OFFICE OF COURTS IN APPROVING OR DISAPPROVING THE ESTABLISHMENT OF NEW JUDGESHIPS AND NEW JUDICIAL CIRCUITS.**

WHEREAS, the Legislature finds that there is a need for the Legislature to have a study conducted on the methods and procedure used by the Administrative Office of Courts in making their recommendations about the creation of new judgeships and new judicial circuits; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Interim Legislative Committee to be known as the Alabama Legislative Committee to study the procedures used by the Administrative Office of Courts in recommending judgeships and new judicial circuits which shall consist of six members as follows: Three members of the House Judiciary Committee to be appointed by the Speaker of the House of Representatives and three members of the Senate Judiciary Committee to be appointed by the Lieutenant Governor. The committee shall choose a chairman and vice chairman from among its members and the committee shall conduct a comprehensive study of the methods and procedures used by the Administrative Office of Courts in making its recommendations to the Legislature as to the creation of new judgeships and new judicial circuits and the staffing thereof throughout the State; thereafter, the committee shall report back to the Legislature with its recommendations and any suggested legislation by the first day of the 1988 Regular Session. Each member of the committee shall be entitled to his usual legislative pay, travel expenses and per diem for each day spent in attending such committee meetings or on business of the committee within the State. The committee may spend up to \$3,000 from funds appropriated for the use of the Legislature.

The Clerk of the House and the Secretary of the Senate shall furnish such clerical assistance as the committee deems necessary and appropriate in carrying out its functions and duties.

JOHN W. PEMBERTON,  
Clerk.

HOUSE MESSAGE

On motion of Senator Preuitt, the Rules were suspended and the Resolution, H. J. R. 433, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BUDGET ISOLATION RESOLUTION

Senator Preuitt, B. I. R., H. B. 10, adopted.

Yeas 18; Nays 2.

*Yeas:*

Senators:	Campbell	Ellis	Langford	
Bailey	Covington	Foshee	Manley	
Bedsole	Denton	Hale	Menton	
Bennett	Dial	Hand	Preuitt	
Cabaniss	Drinkard	Holmes		—18

*Nays:*

Senators:	Amari	Corbett		—2
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BILLS ON THIRD READING RESUMED

THE BILL:

H. 10. To prohibit the display in public of any obscene bumper sticker, sign or writing; and to provide penalties for violations.

was read a third time at length and passed.

Yeas 19; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Campbell	Drinkard	Holmes	
Amari	Corbett	Foshee	Langford	
Bedsole	Covington	Hale	Manley	
Bennett	Denton	Hand	Menton	
Cabaniss	Dial	Hilliard	Preuitt	—19

*Nays:* —0

*Abstaining:* Senator Parsons —1

BUDGET ISOLATION RESOLUTION

Senator Bennett, B. I. R., H. B. 225, adopted.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Campbell	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Hilliard	Smith (J)	
Cabaniss	Ellis	Langford		—18

*Nay:* Senator Amari —1

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 225. To amend the Alabama Hazardous Waste Management Act of 1978, as amended, to clarify that the Alabama Department of Environmental Management ("the Department") administers the hazardous waste management program, to correct certain errors, to clarify certain authorities and to enact certain changes made to the federal Resource Conservation and Recovery Act of 1976 ("RCRA"), as amended, which changes are necessary to receive authorization to operate certain portions of the hazardous waste management program in lieu of the federal program and to repeal Code of Alabama 1975, §22-30-13 the provisions of which are made a part of §22-30-14 and Code of Alabama 1975, §22-30-8. This bill clarifies the intent of the act; clarifies the authority of the Department to list certain wastes as hazardous wastes, clarifies permitting procedures, clarifies the responsibilities of generators, transporters and owners and operators of treatment, storage and disposal facilities; corrects wording errors; and eliminates unnecessary provisions.

was read a third time at length and passed.

Yeas 19; Nays 0.

**Yeas:**

Senators:	Campbell	Ellis	Holmes	
Amari	Corbett	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bennett	Dial	Hand	Preuitt	
Cabaniss	Drinkard	Hilliard	Smith (J)	—19

**Nays:** —0

**BUDGET ISOLATION RESOLUTION**

Senator Dial requested and received permission to suspend the Rules in order to bring up the following B. I. R. and Bill, to-wit:

Senator Dial, B. I. R., H. B. 667, adopted.

Yeas 17; Nays 1.

**Yeas:**

Senators:	Denton	Hale	Manley	
Bailey	Dial	Hand	Menton	
Bedsole	Drinkard	Holmes	Preuitt	
Bennett	Ellis	Langford	Smith (J)	
Campbell	Foshee			—17

**Nay:** Senator Amari —1

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 667. To establish the Alabama Athlete Agents Regulatory Commission; to provide for membership, terms, and duties to require agents for athletes to register and be licensed in this state; to provide for revocation of registration; to provide for filing and registration fees; to require agents

to post surety bonds; to provide for disposition of the proceeds from registrations and fines; to provide for the contents and approval of contracts; to prohibit certain activities; to provide further for actions against agents; to provide for an appellate procedure from decisions of the commission; to provide for a procedure for arbitration; and to provide for penalties for violations.

was read a third time at length and passed.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Corbett	Hale	Manley	
Amari	Covington	Hand	Menton	
Bailey	Denton	Hilliard	Parsons	
Bedsole	Dial	Holmes	Preuitt	
Campbell	Foshee	Langford	Smith (J)	—19
				—0

*Nays:*

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 510. To establish "County Oil and Gas Severance Tax Trust Funds" in the counties of the state with revenue derived from certain local county severance taxes on producers of oil and gas and other hydrocarbons, plus certain income or interest; to regulate and provide for the administration of the expenditures of such trust funds by counties in the state in which such taxes are now or may hereafter be levied; to provide for the maximum funding of such trust funds; to specifically repeal, following the full funding of such trust fund established with respect to Baldwin County, Act No. 2120, H. 2450, Regular Session 1971 (Acts 1971, Vol. V, p. 3399), as amended, relating to Baldwin County privilege tax on persons engaged in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters and to provide for the repeal of other similar taxes that may be hereafter levied for counties; to specifically provide that this bill shall not be construed to repeal that part of Title 40, Code of Alabama 1975, as amended, which provides for the levy of certain taxes upon the production or severing oil or gas from the soil or waters of the state; and to provide for non-severability construction and an effective date.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 286. To provide further for the sale or proper disposal of certain historical property used in legislative chambers; to authorize the historical commission to set a standard rate for certain restored period legislative desks and for the legislative chairs used in the Alabama Legislature; to authorize

the secretary of the senate and the clerk of the house to dispose of certain such desks and chairs at such standard rate, or to otherwise make disposal thereof; and to provide for the distribution of net revenues.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 448. Relating to Mobile County; to amend Act No. 544, S. 602, 1967 Regular Session, as amended, which provides for funds from the general fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, so as to provide further for said funding.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 126. To provide for the procedure for verification of eligibility for homestead exemptions provided in the Code of Alabama, 1975, Sections 40-9-19 and 40-9-21.

Also:

H. 223. To allow certified copies of case action summary or docket sheets or other court records to be admitted into evidence for the purpose of proving that a person has been previously convicted of a crime.

Also:

H. 233. To provide for a revision of the guardianship laws of Alabama by providing: general provisions, definitions and jurisdiction of court; protection of persons under disability and their property; protection of property of persons under disability and minors; to repeal Sections 26-2-1; 26-2-20 through 26-2-25, 26-2-40 through 26-2-42, 26-2-49, 26-3-2, 26-3-6, 26-4-1 through 26-4-155, 26-5-17, 26-5-37, 26-6-1 through 26-6-6, and 26-7-1 through 26-7-5 of the Code of Alabama 1975, as amended; and to amend Sections 26-2-2, 26-2-26, 26-2-43, 26-2-45, 26-2-47, 26-2-48, 26-2-50 through 26-2-55, 26-3-1, 26-3-3 through 26-3-5, 26-3-7, 26-3-8, 26-3-10 through 26-3-14, 26-5-1, 26-5-2, 26-5-4, 26-5-5, 26-5-7 through 26-5-10, 26-5-12 through 26-5-16, 26-5-18, 26-5-30 through 26-5-36, 26-5-38, 26-5-39, 26-5-50 through 26-5-52, 26-8-1, 26-8-20 through 26-8-24, 26-8-40 through 26-8-46, 26-8-48 through 26-8-52, and 26-9-2 Code of Alabama, 1975.

Also:

H. 250. To amend Sections 7-9-307, 7-9-402, 7-9-403, 7-9-404, and 7-9-407, Code of Alabama, 1975, to create the Uniform Commercial Code and

Farm Products Central Index System Fund, to provide for fees relating to farm products and Uniform Commercial Code, to increase the amendatory statement filing fee, to increase the uniform fee for filing an original financing statement so as to include the termination fee, to discontinue the uniform fee for filing and indexing a termination statement for original financing statements filed after October 1, 1987, to empower the Secretary of State to set fees and charge for distributing microfilm reels containing copies of effective financing statements, to empower the Secretary of State to charge a fee for monthly partial listings of the master list of farm products registrants, and to increase the fee for a search certificate, and authorizes the Secretary of State to promulgate regulations and set reasonable fees related to implementation of a central index system and to conduct user and public training relating to the Uniform Commercial Code and Farm Products Central Index System Program.

Also:

H. 792. To amend Section 41-9-201(a), Code of Alabama 1975, which establishes the office of the Director of Development, so as to establish qualifications of office of Director of Development and provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$25,742.00 the highest authorized salary for employees of the Alabama Development Office who are subject to the provisions of the merit system law.

Also:

H. 802. To amend Section 33-1-3, Code of Alabama 1975, which establishes the office of the Director of state docks, so as to establish the qualifications of the office and to provide that the Director's salary shall be fixed by the Governor, at any reasonable amount not to exceed by \$5,000.00 the highest authorized salary for employees of the department in the classified service of the state.

Also:

H. 934. To amend Section 19-3-120, Code of Alabama 1975, which provides for the classes of authorized investments, in which trustees, executors, administrators and other fiduciaries may invest, so as to include the African Development Bank within such classes of investments.

Also:

H. 935. To amend Section 27-41-14, Code of Alabama 1975, which provides for investments of life, disability and burial insurance companies, so as to allow said companies to invest in the African Development Bank.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 588. To amend sections 2-8-126 and 2-8-135, Code of Alabama 1975, relating to referendums authorizing an assessment of certain producers for the promotion of nuts, bulbs, fruits and vegetables; so as to authorize the holding of intermediary referendums to alter or modify the terms of an existing assessment and to further provide for the notice of referendums.

Also:

H. 821. To provide additional funding for domestic violence shelters by amending Sections 30-6-6 and 30-6-11 Code of Alabama 1975, as last amended, to increase the limitation on the maximum available to each domestic violence facility, and re-designate the following subsection as subsection (e); to increase the additional fee for marriage licenses provided for therein by \$10.00, from \$5.00 to \$15.00; and to remove language in Section 30-6-11 in which refers to a time period which has already passed.

Also:

H. 876. To amend Code of Alabama 1975, §12-15-65 to provide that an out of court statement made by a child under the age of twelve describing acts of sexual conduct performed on or with the child by another shall be admissible in dependency hearings if the court finds that the statement is sufficiently reliable; to provide that such statement may not be admitted unless the proponent of the statement gives advance notice of the details of the statement and of his intention to offer the statement, so that the adverse party may have a fair opportunity to rebut the statement; to provide the conduct to which this act applies; to provide for severability; and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 471. To provide for confidential communications, insofar as criminal proceedings are concerned, between victims and victim counselors disclosed during the course of treatment for any emotional or psychological effects of a sexual assault or family violence.

JOHN W. PEMBERTON,  
Clerk.



**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

**BUDGET ISOLATION RESOLUTION**

Senator Manley, B. I. R., H. B. 114, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Drinkard	Hand	Preuitt	
Bennett	Ellis	Langford	Smith (J)	
Campbell				—16

*Nays:*

Senators:	Corbett	Parsons	—2
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**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 114. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1985 Second Special Session and the 1986 Regular Session of the Legislature, as contained in the 1986 Cumulative Supplement to certain volumes of the Code and in the 1986 replacement volumes 11, 15 and 16 of the Code, and to make certain corrections in Volume 21 of such cumulative supplement; and to adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1986 First Special Session of the Legislature, as contained in the 1987 Interim Supplement to the Code of Alabama 1975, and to make a certain correction in such interim supplement.

was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Foshee	Menton	
Bailey	Covington	Hale	Parsons	
Bedsole	Denton	Hand	Preuitt	
Bennett	Dial	Langford	Smith (J)	
Campbell	Ellis	Manley		—18

*Nays:* —0

**CALENDAR BILLS INDEFINITELY POSTPONED**

On motion of Senator Manley, further consideration of all Senate Bills remaining on the Calendar was indefinitely postponed.

**BUDGET ISOLATION RESOLUTION**

Senator Foshee, B. I. R., H. B., 506, adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	Covington	Ellis	Manley	
Bailey	Denton	Foshee	Menton	
Bedsole	Dial	Hale	Preuitt	
Bennett	Drinkard	Hand	Smith (J)	
Campbell				—16

*Nays:*

Senators:	Amari	Corbett		—2
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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 506. Relating to the practice of veterinary medicine and surgery in Alabama; amending the title and Sections 2, 4, 5, 6, 12, 14, 16 and 29 of the Alabama Veterinary Practice Act, Act No. 86-500, S. 121, Regular Session 1986, approved April 30, 1986 (such sections now appearing in the 1986 Cumulative Supplement to the Code of Alabama 1975 as Sections 34-29-61, 34-29-63, 34-29-64, 34-29-65, 34-29-71, 34-29-73, 34-29-75 and 34-29-88, respectively), so as to change the name of the board; and to provide further for the practice and licensure of such veterinary medicine and surgery.

was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Campbell	Ellis	Menton	
Amari	Corbett	Foshee	Parsons	
Bailey	Covington	Hale	Preuitt	
Bedsole	Denton	Hand	Smith (J)	
Bennett	Drinkard	Langford		—18

*Nays:* —0**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., H. B. 502, adopted.

Yeas 15; Nays 3.

*Yeas:*

Senators:	Campbell	Ellis	Manley	
Bailey	Covington	Hale	Menton	
Bedsole	Denton	Hand	Preuitt	
Bennett	Drinkard	Langford	Smith (J)	—15

REGULAR SESSION  
29th Day

2165

*Nays:*

Senators:	Amari	Corbett	Parsons	—3
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**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 502. Relating to the age of majority; to provide that for purposes of contracting for educational loans for college level and above, the age of majority shall be seventeen years of age.

was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Menton	
Bailey	Covington	Foshee	Parsons	
Bedsole	Denton	Hale	Preuitt	
Bennett	Dial	Hand	Smith (J)	
Campbell	Drinkard	Langford		—18

*Nays:* —0

**BUDGET ISOLATION RESOLUTION**

Senator Bedsole, B. I. R., H. B. 297, adopted.

Yeas 18; Nays 1.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Holmes	Smith (J)	
Campbell	Ellis	Langford		—18

*Nay:* Senator Corbett —1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 297. To amend Section 40-18-19, Code of Alabama 1975, to provide for the exemption of retirement pay for firemen from state and local income taxes the same as retirement pay of school teachers, state employees, civil service retirees and peace officers.

was read a third time at length and passed.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Campbell	Ellis	Langford	Smith (J)	
Corbett				—20

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 697. To amend Section 16-13-184, Code of Alabama 1975, which relates to the conduct of elections, so as to provide further for the voting hours for county elections regarding school taxes.

Also:

H. 719. To authorize the establishment of "enterprise zones," pursuant to state tax and other incentives in order to promote job creation and economic development; to provide for the duties and authority of the Alabama Department of Economic and Community Affairs, the Alabama Department of Industrial Relations, the Alabama Development Office, the Department of Revenue, and the local governing bodies; to provide the requirements for participation; to provide for state and local tax and nontax incentives; and to provide with respect to financing, for financial assistance to municipalities and individuals and businesses under any act of the Congress of the United States heretofore or hereafter enacted.

Also:

H. 735. To amend section 11-81-11 of the Code of Alabama 1975, as heretofore amended, to permit the sale of bonds issued under the authority of Chapter 81 of Title 11 of the Code of Alabama 1975, as amended, to be sold at public or private sale as the governing body of the municipality or county may determine.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**BUDGET ISOLATION RESOLUTION**

Senator Covington, B. I. R., H. B. 193, adopted.

Yeas 20; Nays 1.

Yeas:

Senators:	Covington	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsole	Dial	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Campbell	Ellis	Langford	Smith (J)
Corbett			

—20

Nay: Senator Amari

—1

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 193. To amend Section 11-43-12.1 Code of Alabama 1975, as amended, to authorize municipal employees or board members of municipal boards, organized under statutory authority of or for such municipality, to deal with and transact business with the employer municipality on the same basis and under the same procedures as municipal officials are authorized to do under said Section.

was read a third time at length and passed.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Covington	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsole	Dial	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Campbell	Ellis	Langford	Smith (J)
Corbett			

—20

*Nay:* Senator Amari —1

**THE BILL:**

H. 171. Relating to the liability of physicians and osteopaths serving on hospital committees; to state the legislative intent; to provide definitions for the terms hospital, physician, health maintenance organization, professional society, hospital medical staff, and committee; to provide that any physician, osteopath or other health care provider serving on any committee of a hospital medical staff, health maintenance organization or professional society and any consultant, attorney, auxiliary personnel or employee of such committee shall not be liable to any person for any damages arising from any claim whatsoever related to or arising out of any action, investigation, report or recommendations made or taken by such committee when such action, investigation, report or recommendation was taken or made by him within the scope of his function as a member of the committee without malice and in good faith in the reasonable belief that such action, investigation, report or recommendation was warranted by the facts known or reasonably established; to provide for the severability of the provisions of this Act; to provide for the repeal of all laws in conflict with this Act; and to provide an effective date for this Act.

was taken up.

On motion of Senator Manley, further consideration of the Bill, H. B. 171, was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Menton, B. I. R., H. B. 164, adopted.

Yeas 20; Nays 1.

Yeas:

Senators:	Covington	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsale	Dial	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Campbell	Ellis	Langford	Smith (J)
Corbett			

—20

Nay: Senator Amari

—1

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 164. To state the legislative intent; to amend §34-24-70; to require that the Board of Medical Examiners shall only approve certain off-shore medical schools if it finds that the medical education that is provided is substantially equivalent to that provided by medical schools in the United States and the District of Columbia; to authorize the Board of Medical Examiners to reject or not accept a diploma from any college of medicine which is not approved by the Board and to deny issuance of a certificate of qualification for licensure to practice medicine in Alabama to any individual holding such a diploma; to empower the Board to adopt, pursuant to the Alabama Administrative Procedure Act, all necessary rules, regulations, procedures, criteria, qualifications and guidelines as may be necessary to give effect to the provisions of this Act; to authorize the Board to prescribe a reasonable fee to cover cost and expenses of the evaluation of a college of medicine and require the payment of such fee to the Board; to establish the procedures required of such colleges to secure the required approval and to prescribe the interval for which such approval is granted and the interval at which such college which is denied approval may reapply for such approval; to establish that in any action for judicial review of a Board determination to approve or disapprove graduates of a college of medicine or based upon the exercise of authority granted by this Act, the reviewing court shall be bound by the determination of the Board for evaluating the quality of the medical education of the institution in question and shall uphold the determination of the Board unless the court finds the same to be unsupported by any facts or arbitrary or capricious; to provide that effective 180 days after the effective date of this act only applicants holding a degree from a college of medicine approved by the Board shall be issued a certificate of qualification; to provide that any portions of this act which are declared unconstitutional or void by any court of competent jurisdiction does not affect those parts remaining; to provide for repeal of all laws or parts of laws which conflict with this Act; to provide that this Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

was read a third time at length and passed.

Yeas 20; Nays 1.

Yeas:

Senators:	Covington	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsale	Dial	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Campbell	Ellis	Langford	Smith (J)
Corbett			

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Nay: Senator Amari

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**RESOLUTION**

Senator Parsons offered the following Senate Resolution, to-wit:

S. R. 200. CONGRATULATING E. T. "BUD" ROLISON OF PUSH-MATAHA, ALABAMA, ON THE OCCASION OF HIS 80TH BIRTHDAY.

Which was filed.

**NOTICE IN WRITING**

Senator Hand offered the following Notice in Writing, to-wit:

**NOTICE IN WRITING**

Notice is hereby given that on the next legislative day a motion will be made to amend the Senate rules in the following manner:

Senate Rules 40 and 25 are suspended for the 30th day of the 1987 regular session of the Alabama Legislature with regard to all bills dealing with appropriations and in lieu thereof, the following rules shall apply for the 30th day of the 1987 regular session of the Alabama Legislature only with regard to all bills dealing with appropriations.

**RULE 40.** Debate on all issues shall be subject to a reasonable time limit at the discretion of the president. All constitutional dissents shall also be subject to a reasonable time limit, if made orally, or a reasonable length, if made in writing, at the discretion of the president. The originator of the pending question, or the chairperson of the committee reporting the measure shall have the right to conclude the debate. The president shall have the right to decline to recognize a motion or motions if he determines that said motion is made solely for the purpose of delay or for the obstruction of the legislative process, including but not limited to points of order and points of personal privilege.

**RULE 25.** All requests to have any paper read aloud shall be addressed to the president who shall have the discretion to determine whether or not said paper shall be read aloud. However, this rule shall not apply to the constitutional right to have a bill read at length upon third reading.

Which was read and spread upon the Journal.

**BUDGET ISOLATION RESOLUTION**

Senator Corbett, B. I. R., H. B. 478, adopted.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Covington	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsole	Dial	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Campbell	Ellis	Langford	Smith (J)
Corbett			

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*Nay:* Senator Amari

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**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 478. To allow official court reporters who are in office on the effective date of this act to elect coverage in the employees' retirement system of Alabama; to provide the time in which the election shall be made; to provide that all official court reporters employed after the effective date shall automatically be included in the employees' retirement system; to provide for the purchase of up to five years prior service as an official court reporter as creditable service in the employees' retirement system; to amend Section 12-17-290 of the Code of Alabama 1975 so as to provide that a break in service as an official court reporter for the state of Alabama will not affect an official court reporter's eligibility for attaining supernumerary status; to amend Section 12-17-292 of the Code of Alabama 1975 so as to further provide for the salary for supernumerary circuit court reporters; and to provide that supernumerary court reporters' commissions shall be issued by the Secretary of State rather than the Chief Justice.

was read a third time at length and passed.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Campbell	Ellis	Langford	Smith (J)	
Corbett				—20

Nay: Senator Amari —1

**BUDGET ISOLATION RESOLUTION**

Senator Hale, B. I. R., H. B. 533, adopted.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Campbell	Ellis	Langford	Smith (J)	
Corbett				—20

Nay: Senator Amari —1

**BILLS ON THIRD READING RESUMED****THE BILL:**

H. 533. To reopen the Teachers' and Employees' Retirement Systems of Alabama for purchase of certain service credit and military service credit; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama; to



REGULAR SESSION  
29th Day

2171

provide that this act shall take effect October 1, 1987, and to provide for its termination on October 1, 1988.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 533, to-wit:

AMENDMENT TO H. B. 533

Amend House Bill 533 on page 2 by striking lines 10 - 15 in their entirety and inserting in lieu thereof the following: "retirement a sum equal to a percentage of his current annual earnable compensation for each year of service purchased; the applicable percentage of his current annual earnable compensation shall be the sum of the prevailing percentage rates of employer and member contributions, as required by the most recent actuarial valuation, for each year of service purchased."

Which was adopted.

Yeas 20; Nays 1.

Yeas:

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Campbell	Ellis	Langford	Smith (J)	
Corbett				—20

Nay: Senator Amari —1

And said Bill, H. B. 533, as thus amended, was read a third time at length and passed.

Yeas 20; Nays 1.

Yeas:

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Campbell	Ellis	Langford	Smith (J)	
Corbett				—20

Nay: Senator Amari —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 565. To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to Section 903 of the Social Security Act, as

amended, for the purpose of purchasing land, buildings and/or providing funds for the administration of the unemployment compensation and employment service programs as the director shall determine to be in the best interest of the State, and the total cost of which does not exceed the amount of this appropriation. Such funds are to be expended exclusively for the programs administered by the Division of Employment Security of the Department of Industrial Relations of the State of Alabama.

JOHN W. PEMBERTON,  
Clerk.

### BUDGET ISOLATION RESOLUTION

Senator Bennett, B. I. R., H. B. 450, adopted.

Yeas 20; Nays 1.

Yeas:

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Campbell	Ellis	Langford	Smith (J)	
Corbett				—20

Nay: Senator Amari

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### BILLS ON THIRD READING RESUMED

THE BILL:

H. 450. A bill to amend Section 4-3-45, Code of Alabama 1975, so as to provide for a Board of Directors for an Airport Authority of either three, five or seven members.

was read a third time at length and passed.

Yeas 20; Nays 1.

Yeas:

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Campbell	Ellis	Langford	Smith (J)	
Corbett				—20

Nay: Senator Amari

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### BUDGET ISOLATION RESOLUTION

Senator Menton, B. I. R., H. B. 762, adopted.

Yeas 20; Nays 1.

Yeas:

Senators:	Covington	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Holmes	Rice	
Campbell	Ellis	Langford	Smith (J)	
Corbett				—20

Nay: Senator Amari

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**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 762. To provide for an annual program of continuing education for municipal chiefs of police; to provide that chiefs who fail to comply with this act shall be subject to having his certification revoked by the Alabama Peace Officers Standards and Training Commission.

was read a third time at length and passed.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Covington	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsole	Dial	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Campbell	Ellis	Langford	Smith (J)
Corbett			

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*Nay:* Senator Amari

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**BUDGET ISOLATION RESOLUTION**

Senator Ellis, B. I. R., H. B. 46 adopted.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Covington	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsole	Dial	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Campbell	Ellis	Langford	Smith (J)
Corbett			

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*Nay:* Senator Amari

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**BILLS ON THIRD READING RESUMED**

**THE BILL:**

H. 46. To require a grand jury investigation of any hunting death involving a gun or bow and arrow when such accident results in death and when such death is caused by one person against another; and to require further that all such accidents be reported within 72 hours to the office of the Director of the Game and Fish Division of the Department of Conservation and Natural Resources, by the Coroner and the Sheriff's Department of the county in which the death occurred.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, H. B. 46, to-wit:

**AMENDMENT TO H. B. 46**

Amend H. B. 46, Page 1, Line 25, by inserting between the word "investigation" and the word "of" the following:

"upon the recommendation of the Conservation Department"

Which was adopted.

Yeas 20; Nays 1.

*Yeas:*

Senators:	Covington	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsole	Dial	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Campbell	Ellis	Langford	Smith (J)
Corbett			

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*Nay:* Senator Amari

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And said Bill, H. B. 46, as thus amended, was read a third time at length and passed.

Yeas 20; Nays 1.

Yeas:

Senators:	Covington	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsole	Dial	Hand	Preuitt
Bennett	Drinkard	Holmes	Rice
Campbell	Ellis	Langford	Smith (J)
Corbett			

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Nay: Senator Amari

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### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 499. To provide badges to survivors of peace officers killed in the line of duty and to provide retirement badges to officers disabled in line of duty.

JOHN W. PEMBERTON,  
Clerk.

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 318 S. B. 319

S. B. 296 S. B. 417

Delivered to the Governor July 17, 1987, at 1:55 P.M.

S. B. 56 S. B. 133 S. B. 207

S. B. 61 S. B. 500 S. B. 485

S. B. 125 S. B. 73 S. B. 490

S. B. 430

Delivered to the Governor July 17, 1987, at 8:30 P.M.

S. B. 131 S. J. R. 94

S. B. 538 S. J. R. 179

S. B. 227

Delivered to the Governor July 17, 1987, at 10:55 P.M.

S. B. 486

Delivered to the Secretary of State July 17, 1987, at 10:59 P.M.

McDOWELL LEE,  
Secretary of Senate.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

### ADJOURNMENT

The hour of Midnight having arrived, in accordance with Motion and Resolution heretofore adopted, the Senate was declared adjourned until Monday, August 3, 1987, at 8 o'clock A.M.



